

**Naval Documents  
related to the  
Quasi-War between the  
United States and France**

**Volume I  
Part 1 of 3**

**Naval Operations  
from February 1797 to October 1798**

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# NAVAL DOCUMENTS

RELATED TO THE

## QUASI-WAR BETWEEN THE UNITED STATES AND FRANCE



## NAVAL OPERATIONS

FROM FEBRUARY 1797 TO OCTOBER 1798



PUBLISHED UNDER DIRECTION OF  
*The Honorable* CLAUDE A. SWANSON  
*Secretary of the Navy*

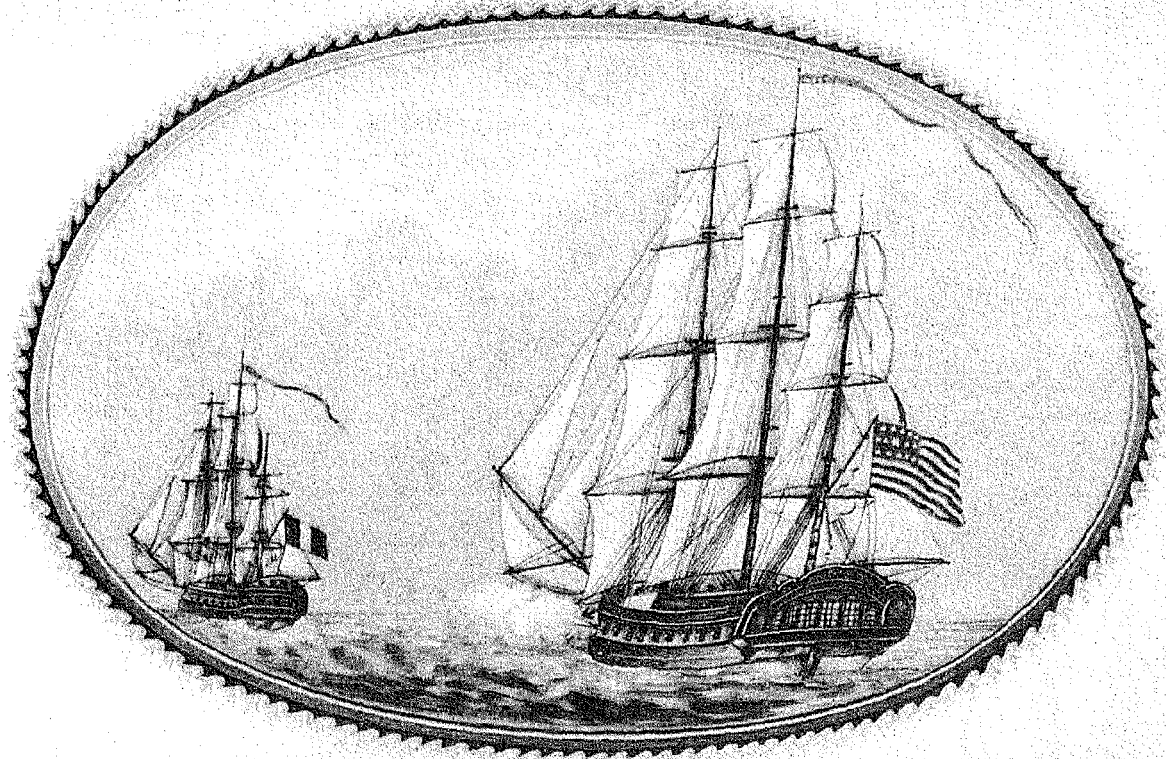


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NAVY DEPARTMENT, UNDER THE SUPERVISION OF  
CAPTAIN DUDLEY W. KNOX, U. S. NAVY (RET.)

*By Authority of an Act of Congress  
Approved March 15, 1934*



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1935



U. S. SHIP OF WAR DELAWARE CAPTURING THE FRENCH PRIVATEER LA CROYABLE  
OFF EGG HARBOR, NEW JERSEY, 7 JULY 1798.

[MOST SOURCES RATE LA CROYABLE AS A SCHOONER.]



**NAVAL OPERATIONS**  
**FROM FEBRUARY 1797 TO OCTOBER 1798**  
**QUASI-WAR WITH FRANCE**



## FOREWORD

The many-sided lessons locked up in old naval manuscripts are well worthy of public attention. Our early naval and maritime history is closely associated with the country's pioneer settlement and expansion, with the winning of its independence and with its subsequent security in very precarious times.

From the beginning also the sea was a direct source of sustenance, the greatest means of domestic transportation, and a prime agency of economic welfare through profitable overseas commerce. The integrity of all this throughout our earlier history rested upon naval protection.

In addition the early Navy played a notable part in the development of the national spirit. Nonpartisan and nonsectional in sympathy, it devoted itself exclusively to the promotion and defense of broad national interests. Its faithful and arduous service together with brilliant victories served constantly to stimulate national pride, patriotism and unity.

It may therefore be said that in many senses our naval forces, including both the regular and irregular armed ships, were among the important makers of the Nation.

For these reasons I have been glad to initiate the publication of naval manuscript source material in order that their contents may become generally accessible for research, and also to insure against loss of their substance through possible destruction of the originals.

I have an especial interest in the publication of manuscript records heretofore practically inaccessible to the public because of my own long time research into all forms of American Naval records.

In 1913, soon after I went to the Navy Department, I discovered a large number of old wooden cupboards under the eaves of the State, War and Navy Building—shelves lined with the "Captain's letters" from the Commanding Officers of our earliest ships.

Since those days the Office of Naval Records has been adequately housed and the records themselves have been properly safeguarded and catalogued.

The establishment, at my request, of a special fund by the Seventy-third Congress will, I hope, make possible the printing of the more important manuscript material relating to the Navy, now in the possession of the Government.



THE WHITE HOUSE,  
13 June 1934.



## PREFACE

The present volume is the first of a projected series of early documentary material on American naval history. Its preparation and publication is in accordance with Congressional authorization, obtained at the instance of President Franklin D. Roosevelt.

It is expected that ultimately the set will comprise a large number of volumes authoritatively recording from colonial times, many aspects of our early naval experiences, which have heretofore been but imperfectly known because of widely scattered and largely inaccessible source material.

The Navy Department's archives, together with other conveniently available naval collections, are at present very incomplete prior to the year 1798, which marks the beginning of the first extensive naval operations after the adoption of the Constitution. It was therefore decided to start the series with that period, in which began the Quasi-War with France, and to work forward chronologically as practicable in subsequent volumes; but also with the intention of proceeding with the collection of material in earlier dates and of publishing the same later on. Single volumes will bear no serial number so that the title, together with the dates of the events covered, will conveniently place any one of them in the series regardless of the time of its publication.

The Quasi-Naval War with France, which extended over a period of nearly three years (1798-1801), had its origins in extensive and long continued depredations upon American shipping. After the sale in 1785 of the Frigate *Alliance*, the last survivor of the Revolutionary Navy, our seaborne commerce had no naval protection whatever and was frequently interfered with by the armed ships of the Barbary Powers, Spain, England and France.

The hostile actions of the former were kept within partial bounds for a number of years through diplomacy and tribute, while reliance upon diplomatic effort alone had to serve with the others. Early in 1794, upon the recommendation of President Washington, Congress passed an act for the construction of six frigates with a view to providing protection for American seaborne commerce, especially in the Mediterranean where at the moment the depredations upon it were most severe.

When a treaty of peace was concluded with Algiers in 1795 the shipbuilding program came to a halt under the terms of the law, but the completion of three of the ships was authorized by Congress in the following year (April 1796). Construction continued at a slow rate and no other naval preparations were made until the Spring of 1798 when growing French spoliations rendered it imperative that some active defensive measures be taken afloat.

Following a report from the Secretary of State summarizing the condition of affairs Congress on 27 March 1798 provided for the early fitting out of the three frigates approaching completion (*United*

*States, Constitution, and Constellation*), and on 27 April the President was empowered to build, purchase or hire twelve additional ships of not more than 22 guns each. On 4 May the acquisition of ten more smaller vessels was authorized.

While hostilities had thus virtually been decided upon no ship could be gotten ready until 24 May when the recently purchased armed merchantman *Ganges* sailed from Philadelphia under Captain Dale. Upon the passage of the Act of 28 May the President directed ships of the Navy to "seize, take and bring into any port of the United States" French armed vessels.

It was not until 24 June that the next ship sailed—the Frigate *Constellation* from Baltimore under Captain Truxtun. She was followed on 6 July by the *Delaware*, another purchased merchantman sailing from Philadelphia under Captain Decatur, and by the Frigate *United States*, Captain Barry, from the same port early in July. Gradually this small force grew to a total of fifty-four government vessels, including eight Revenue Cutters, which operated off our Atlantic coast and in the West Indies, with occasional cruises to Europe.

To supplement these naval efforts on 25 June 1798 Congress authorized armed merchant vessels to repel attack from armed French ships; and by the Act of 9 July authorized the issue of Commissions to our armed merchantmen. These ships were not privateers in the strict sense since they were permitted to attack only armed ships of the French and were forbidden to prey upon enemy commerce in general.

During the first nine months of hostilities such commissions were issued to 365 armed merchant ships while others carried guns for defense without obtaining formal authorization. In the entire three years of war probably upwards of a thousand armed merchantmen supplemented the naval efforts against the very numerous French privateers which continued actively to harass American commerce on the ocean.

Meantime our Navy also sought out ships of the regular French Navy and succeeded on several occasions in bringing them to action, with a view to affording further protection to American shipping. The most notable among the engagements between regular naval ships were two fought by the American Frigate *Constellation*. Her opponent on the first occasion was the Frigate *L'Insurgente* and on the second the Frigate *La Vengeance*. Both actions were fought in the West Indies and will be covered in subsequent volumes.

The creation and mobilization of naval forces for this war was rendered especially difficult because at the start there were neither completed ships, nor any adequate personnel, or machinery of organization and administration. At a later time it is expected to publish volumes dealing with the design and construction of the early frigates, and with matters of naval administration.

This first volume aims to present data related to the operations of ships and other naval units, and to exclude questions of logistics (material, personnel, supply, etc.) except in so far as they may affect the readiness and operations of Naval forces with a reasonable degree of immediacy.

The documents as far as practicable, are arranged chronologically, and the dates of the communications generally determine their chron-

ological arrangement. The exceptions are documents which bear dates later than the dates of the events which they describe. In such cases the dates of the events have been used to determine their chronology. It has been the endeavor to make the text of the printed document identical with that given in the archives; i. e., communications coming into the Navy Department being from the originals and those going out from the Navy Department from copies. Spellings, punctuations, abbreviations, etc., are reproduced as they are found in the originals and copies now in the archives. It may be well to note, however, that the spelling of proper names is in no way consistent, and that the capitalizations and punctuations found in the copies on file are not always identical with those appearing on the originals, the errors having been made at the time they were copied into the records.

Many organizations and individuals have generously cooperated in the preparation of this work. Besides proposing and sponsoring it in the first instance President Roosevelt has contributed his valuable time and advice towards its success, and has made his large personal collection of old naval manuscript available for copying.

Governmental agencies, whose archives have been made freely accessible and to whose heads and subordinate personnel thanks are due for very helpful cooperation, include:—the Library of Congress, and especially its Manuscript Division and Rare Book Room; the State Department, Archives Division; the Treasury Department, with the Coast Guard and the Bureau of Customs; the War Department, Old Records Division; General Accounting Office; Court of Claims; Marine Corps Historical Section; Veterans' Administration; Senate Library; U. S. Naval Academy; U. S. Naval War College; Navy Hydrographic Office; Connecticut State Library; Rhode Island State Library; New York Public Library; Boston Public Library, and Newburyport Public Library.

Among many private organizations where collections have been made available and generous assistance rendered are:—New York Historical Society; Naval History Society; Pennsylvania Historical Society; Massachusetts Historical Society; Essex Institute; Newport Historical Society; Rhode Island Historical Society; Boston Athenaeum; Harvard College Library; Historical Society of Old Newbury; Baker Library, Harvard University; Peabody Museum; Maryland Historical Society; American Philosophical Society, Philadelphia; Haverford College Library; Maine Historical Society; Massachusetts Institute of Technology; Naval Historical Foundation; Connecticut Historical Society; New Haven Colony Historical Society; Bostonian Society; Pierpont Morgan Library, and University of Pennsylvania Library.

Numerous individuals have been most helpful in the work. Mr. Edward C. Dale has kindly permitted extensive copying from the papers of his distinguished ancestor Commodore Dale. Other persons to whom especial thanks are due include Colonel E. N. McClellan, U. S. M. C.; Captain Byron McCandless, U. S. N.; Dr. Gardner W. Allen; Mr. Jonathan Sawyer; Mr. Charles H. Taylor; Mr. Stephen Decatur; Captain Thomas G. Frothingham, O. R. C.; the Hon. Charles Francis Adams; Mr. Henry Adams; Mr. Charles Bittinger; Mr. Gershom Bradford; Professor C. S. Alden, U. S. N.; Mr. G. A. Moriarty; Commander L. S. Stewart, U. S. N.; Rear Admiral W. C.

Watts, U. S. N.; Mrs. D. W. Knox; Mr. Allan Forbes; Mr. A. J. Wessen; Colonel Seth Williams, U. S. M. C., and Mr. Moses Brown.

The printing of these naval records was authorized by an act of Congress approved March 15, 1934, which contained the following provisions:

*"Provided, That, in addition to the appropriation herein made for the Office of Naval Records and Library, there is hereby appropriated \$10,000 to begin printing historical and naval documents, including composition, clerical copying in the Navy Department, and other preparatory work, except that the 'usual number' for congressional distribution, depository libraries, and international exchanges shall not be printed, and no copies shall be available for free issue: Provided further, That the Superintendent of Documents is hereby authorized to sell copies at the prorated cost, including composition, clerical work of copying in the Navy Department and other work preparatory to printing without reference to the provisions of section 307 of the Act approved June 30, 1932 (U. S. C., Supp. VI, title 44, sec. 72a)."*

DUDLEY W. KNOX,  
*Captain, U. S. Navy (Retired),*  
*Officer in Charge of Office of Naval Records and Library,*  
*Navy Department.*



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## ABBREVIATIONS INDEX TO SOURCES

Am. State Papers. .	American State Papers.
Appts. ....	Appointments.
Bk. ....	Book.
CL. ....	Consular Letters, State Department.
Col. or Coll. ....	Collector of Port of —————; or Collection.
Conn. HS. ....	Connecticut Historical Society.
Dip. Cor. ....	Diplomatic Correspondence, State Department.
Disp. ....	Dispatches, State Department.
Dom. L. ....	Domestic Letters, State Department.
Emmet. ....	Emmet Papers.
GAO. ....	General Accounting Office.
GLB. ....	General Letter Book, Navy Department Archives.
HS of Pa. ....	Historical Society of Pennsylvania.
Inst. to Min. ....	Instructions to U. S. Ministers, State Department.
J. McH. P. ....	James McHenry Papers, Mss, Library of Congress.
J. R. P. ....	John Rodgers Papers, Mss, Library of Congress.
LB. ....	Letter Book.
LC. ....	Library of Congress.
LR. ....	Letters received, U. S. Marine Corps.
LS. ....	Letters sent, U. S. Marine Corps.
Mass. HS. ....	Massachusetts Historical Society, Boston, Mass.
MC. ....	Either Major Commandant or Marine Corps.
MCA. ....	United States Marine Corps Archives.
Misc. L. ....	Miscellaneous Letters, State Department.
NA. ....	United States Naval Academy.
NDA. ....	Navy Department Archives.
NHSC. ....	Naval Historical Society Collection, New York, N. Y.
Newport HS. ....	Newport Historical Society.
Nom. ....	Nominations.
NR&L. ....	Office of Naval Records and Library, Navy Department.
N. War C. ....	Naval War College, Newport, R. I.
NYHS. ....	The New York Historical Society, New York, N. Y.
NYPL. ....	New York Public Library, New York, N. Y.
OSW. ....	Letters from Secretary of Navy to Officers of Ships of War.
Req. ....	Requisitions.
Rhode Island HS. .	Rhode Island Historical Society.
SDA. ....	State Department Archives.
Sec Files, TDA. ...	{ Secretary's Files, Annex No. 1, Treasury Department. Secretary's Files, Coast Guard, Treasury Department.
Sec War. ....	Secretary of War.
Statute I, II etc. ...	United States Statutes at Large, Volumes I, II, etc.
TDA. ....	Treasury Department Archives.
Tingey LB. ....	Captain Thomas Tingey's Letter Book.
Truxtun LB. ....	Captain Thomas Truxtun's Letter Book.
USN. ....	United States Navy.
US T. ....	United States Treasury.
WO. ....	United States War Office.



**NAVAL OPERATIONS**  
**FROM FEBRUARY 1797 TO OCTOBER 1798**  
**QUASI-WAR WITH FRANCE**



# NAVAL OPERATIONS

FROM FEBRUARY 1797 TO OCTOBER 1798

## QUASI-WAR WITH FRANCE

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Extract from Secretary of State Timothy Pickering's report communicated to the Fourth Congress, second session, 28 February 1797

The Secretary of State, in pursuance of an order of the Senate of the eighteenth of May, 1796, on the memorial and petition of sundry citizens of the United States, residing in the city of Philadelphia, relative to the losses they had sustained by the capture of their property by French armed vessels on the high seas, or in consequence of the forced or voluntary sales of their provisions and merchandise, to the officers of the colonial administration of the French republic, having examined the same, together with accounts of similar losses sustained by American citizens from the French, in the European seas, or in the ports of France, which, in the details, were necessarily connected with the former, respectfully reports:

That, since the commencement of the present war, various and continual complaints have been made by citizens of the United States to the Department of State, and to the ministers of the United States in France, of injuries done to their commerce under the authority of the French republic, and by its agents. These injuries were

1st. Spoliations and maltreatment of their vessels at sea by French ships of war and privateers.

2d. A distressing and long continued embargo laid upon their vessels at Bordeaux, in the years 1793 and 1794.

3d. The non-payment of bills, and other evidences of debts due, drawn by the colonial administrations in the West Indies.

4th. The seizure or forced sales of the cargoes of their vessels, and the appropriating of them to public use, without paying for them, or paying inadequately, or delaying payment for a great length of time.

5th. The non-performance of contracts made by the agents of the Government for supplies.

6th. The condemnation of their vessels and cargoes under such of the marine ordinances of France, as are incompatible with the treaties subsisting between the two countries. And

7th. The captures sanctioned by a decree of the National Convention of the 9th of May, 1793, (hereto annexed, and marked A.) which, in violation of the treaty of amity and commerce, declared enemy's goods on board of their vessels lawful prize, and directed the French ships of war and privateers, to bring into port neutral vessels

laden with provisions and bound to an enemy's port. It may be proper to remark here, that this decree of the Convention, directing the capture of neutral vessels laden with provisions and destined for enemy ports, preceded, by one month, the order of the British Government for capturing "all vessels loaded with corn, flour, or meal, bound to any port in France, or any port occupied by the armies of France."

Such was the general nature of the claims of the citizens of the United States upon the French republic, previous to the departure of Mr. Monroe, as minister plenipotentiary to France, in the summer of 1794, and since his residence there. To him were intrusted the documents which had been collected to substantiate particular complaints: and he was instructed to press the French Government to ascertain and pay what might be found justly due. From time to time, as additional cases rose, they were transmitted to him, with the like view. In September of that year, he assigned to his secretary, Mr. Skipwith, (with the provisional appointment of consul for Paris) the charge of stating the cases, and placing them in the proper train of settlement, reserving to himself the duty of fixing general principles with the Government, and of patronizing and superintending his proceedings.

In conformity with the direction of the minister, Mr. Skipwith, shortly afterwards, made a general report on the injuries, and difficulties and vexations to which the commerce of the United States was subjected by the regulations and restraints of the French Government, or by the abuses practised by its agents; to which he added a number of particular cases. A copy of the whole, marked B, is hereto annexed. This report was laid before the French Government; and, added to the various representations of Mr. Monroe, and his predecessor, it produced a decree of the joint committees of public safety, finance, commerce, and supplies, dated the 15th November, 1794, a copy of which, marked C, is annexed. This decree, apparently calculated to remedy many of the evils complained of, afforded but a very partial, in respect to compensations a comparatively small, relief, while it continued in force the principle of the decree of the 9th of May, 1793, which rendered liable to seizure and confiscation the goods of enemies found on board neutral vessels. American vessels had been declared exempt from that part of the decree of the 9th of May, which authorised the seizing of vessels going to an enemy's port with provisions, by the decree of the National Convention of the 27th of July, 1793.

On the appearance of the decree of the 9th of May, the American minister at Paris remonstrated against it, as a violation of the treaty of commerce between France and the United States. In consequence hereof, the Convention, by a decree of the 23d of the same month, declare, "That the vessels of the United States are not comprised in the regulations of the decree of the 9th of May." M. le Brun, the minister for foreign affairs, on the 26th of May, communicated this second decree to our minister, accompanying it with these words: "*you will there find a new confirmation of the principles from which the French people will never depart, with regard to their good friends and allies, the United States of America.*" Yet, two days only had elapsed before those principles were departed from: on the 28th of May, the Convention repealed their decree of the 23d. The owners of a French



privateer that had captured a very rich American ship, (the *Laurens*) found means to effect the repeal, to enable them to keep hold on their prize. They had even the apparent hardness to say, beforehand, that the decree of the 23d would be repealed.

The American minister again complained. So, on the first of July, the Convention passed a fourth decree, again declaring "That the vessels of the United States are not comprised in the regulations of the decree of the 9th of May, conformably to the sixteenth [it should be the twenty-third] article of the treaty concluded the 6th of February, 1778." The new minister for foreign affairs, M. Desforgues, accompanies this new decree of July 1st, with the following expression: "I am very happy in being able to give you this new proof of the fraternal sentiments of the French people for their allies, and of their determination to maintain to the utmost of their power, the treaties subsisting between the two republics." Yet this decree proved as unstable as the former—on the 27th of July it was repealed.

The next decree on this subject was, that of the joint committees, of the 15th of November, 1794, already mentioned. Then followed the decree of the committee of public safety, of the 4th of January, 1795, (14th Nivose, 3d year) repealing the 5th article in the decree of the 15th of November preceding, and, in effect, the articles in the original decree of the 9th of May, 1793, by which the treaty with the United States had been infringed. It is not necessary for the secretary to add, that the decree of the 4th of January, 1795, has been repealed by the decree of the executive directory of the 2d of July, 1796, under color of which are committed the shocking depredations on the commerce of the United States which are daily exhibited in the newspapers. The agents of the executive directory to the Leeward Islands, (Leblanc, Santhonax, and Raimond) on the 27th of November, 1796, passed a decree (marked C. C.) for capturing all *American* vessels bound to or from British ports. The Secretary presumes this is not an arbitrary, unauthorised act of their own, but that it is conformable to the intentions of the executive directory, the privateers of the French republic in Europe having captured some American vessels on the same pretence, and the consul of the republic, at Cadiz, having explicitly avowed his determination to condemn American vessels on that ground, pleading the decree of the directory for his authority.

The Secretary has already intimated that the decree of the 15th of November, 1794, was not followed by the extensively good effects expected from it. By a communication from Mr. Skipwith, of the 10th of last September, (the latest communication from him in answer to the Secretary's request for information) it appears that the claims for detention of one hundred and three American vessels, by the embargo, at Bordeaux, remained undetermined, no funds having been appropriated by the legislature for payment of them, and that none of the bills drawn by the colonial administrations in the West Indies had been paid to him, the treasury having tendered payment in assignats at their nominal value, and, afterwards, in another species of paper called mandats, which had suffered a great depreciation, even before they were put into circulation; both which modes of payment were refused to be accepted. The progress made by

Mr. Skipwith in the adjustment of other claims, so far as known to the Secretary, will appear in the annexed printed statement, marked D, copies of which were transmitted, ten months ago, to the offices of the principal collectors of the customs, from the Department of State, for the information of our mercantile citizens.

That nothing might be left undone which could be accomplished by the Executive, the attention of General Pinckney, the present minister of the United States to France, was particularly directed to the subject of these claims: but the interval which has elapsed since his departure has not admitted of any interesting communication from him, on this business.

In connexion with other spoiliations by French armed vessels, the Secretary intended to mention those committed under a decree dated the 1st of August, 1796, issued by Victor Hugues and Lebas, the special agents of the Executive directory, to the Windward Islands, declaring all vessels loaded with contraband articles of any kind, liable to seizure and confiscation, with their entire cargoes; without making any discrimination in favor of those which might be bound to neutral, or even to French ports. This decree has been enforced against the American trade, without any regard to the established forms of legal proceedings, as will appear from the annexed deposition, marked E, of Josiah Hempstead, master of the brigantine *Patty* of Weathersfield. A copy of the decree, marked F, is also annexed.

The Secretary has received a printed copy of another decree, of the same special agents to the Windward Islands, dated the 13th of Pluviose, fifth year, answering to February 1st, 1797, authorizing the capture of all neutral vessels destined to any of the Windward or Leeward Islands in America, which have been delivered up to the English, and occupied or defended by emigrants, naming Martinique, Saint Lucia, Tobago, Demarara, Berbice, and Essequibo: and to Leeward, Port-au-Prince, Saint Marc, L'Archaye, and Jeremie; declaring such vessels and their cargoes to be good prize; as well as all vessels cleared out *vaguely* for the *West Indies*. A copy of this last decree will be added to this report, as soon as it shall be translated.

All which is respectfully submitted.

TIMOTHY PICKERING.

DEPARTMENT OF STATE, *February 27, 1797.*

[NOTE.—The enclosures, including summaries of more than 200 individual cases of depredations upon American Ships, may be found in "American State Papers, Foreign Relations", volume I, pages 749–759.]

[American State Papers, Foreign Rel., Vol. I, pages 748, 749.]

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Circular from Secretary of Treasury to Collectors of the Customs

TREASURY DEPARTMENT,

*April 8<sup>th</sup> 1797*

*Circular to the Collector of the Customs*

SIR The depredations, to which the commerce of the United States is at present exposed, have given rise to a question which being of general concern, is therefore made the subject of a circular communication.

The question is, *whether it be lawful to arm the Merchant Vessels of the United States for their protection and defence, while engaged in regular commerce?*

It is answered—that no doubt is entertained, that defence, by means of Military force, against mere Pirates and Sea Rovers, is lawful;—the arming of Vessels *bona fide* engaged in trade to the East Indies, is therefore on account of the danger from Pirates to be permitted as heretofore; but as the arming of Vessels destined for European or West India commerce raises a presumption, that it is done with hostile intentions against some one of the belligerent Nations, and may cover collusive practices inconsistent with the Act of Congress of June 1794, unless guarded by provisions more effectual than have been hitherto established; it is directed that the sailing of armed Vessels, not *bona fide* destined to the East Indies, be restrained, until otherwise ordained by Congress.

Information has been received that some Vessels are arming by Strangers for the purpose of capturing the Vessels of the United States. The utmost vigilance on the part of the Collectors to prevent the progress of this evil, is enjoined; — Where there is reasonable ground to believe that Vessels are quipped for the purpose of being employed against the commerce of this Country, they are to be arrested, and the circumstances stated to this Department.

I am very respectfully,  
&c &c.

Examined.

[NDA, Area 11, April 8, 1797.]

[10 May 1797]

Memorandum of Secretary of War

The Frigate *United States*. of 44 Guns was launched from Mr Joshua Humphreys. Yard (Southwark) Philadelphia Wednesday May 10<sup>th</sup> 1797 at 15 Minutes past One OClock PM

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

[21 June 1797]

Letter to House of Representatives from President Adams, enclosing report of Secretary Pickering respecting depredations committed on our commerce. Fifth Congress, first session, No. 125

UNITED STATES, June 22, 1797.

*Gentlemen of the House of Representatives:*

Immediately after I had received your resolution of the 10th of June, requesting a report respecting the depredations committed on the commerce of the United States, since the 1st of October, 1796, specifying the name of the vessel taken, where bound to or from, species of lading, the value (when it can be ascertained) of the vessel and cargo taken, and by what Power captured, particularizing those which have been actually condemned, together with the proper documents to ascertain the same, I directed a collection to be made of all such information as should be found in the possession of the Government. In consequence of which, the Secretary of State has

made the report and the collection of documents which accompany this message, and are now laid before the House of Representatives, in compliance with their desire.

JOHN ADAMS.

[Enclosure]

DEPARTMENT OF STATE, *June 21, 1797.*

SIR: I have the honor to lay before you a report respecting the depredations committed on the commerce of the United States since the 1st of October, 1796, as far conformable to the resolve of the House of Representatives of the 10th instant as the materials in my possession would admit. The number of captures will give a tolerably correct idea of the extent of our losses, and the documents will show the nature of the depredations, and the causes or pretences for which they have been committed.

I am with the greatest respect, &c.

TIMOTHY PICKERING, *Secretary of State.*

The PRESIDENT OF THE UNITED STATES.

[NOTE.—The report of the Secretary of State, with enclosures summarizing more than 316 individual cases of depredations upon American Ships, may be found in "American States Papers, Foreign Relations", Volume II, pp. 28-63.]

[Am. State Papers, Vol. II.]

To Captain Thomas Truxtun, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

*War Office June 29 1797*

Capt<sup>a</sup> T. TRUXTUN,  
*Baltimore,*

SIR Congress have just passed the Bill for completing and Manning the Frigates, as therefore the appointment of the Officers will be entered upon early in the ensuing week. I shall be glad if you would as soon as possible come to Philadelphia that I may consult with you on the Merit of some of the Candidates.

[NDA, LB. Correspondence when Navy was under War Department, 1790-1798.]

[29 June 1797]

#### Launching of the Frigate *Crescent* for Algiers

The Frigate *Crescent* of 36 Guns built by M<sup>r</sup> James Hackett at Portsmouth (N H) for the Dey of Algiers, was Launched from the "U. S." Navy Yard the 29<sup>th</sup> of June 1797, at 4 OClock PM.

	ft.	in.
Draught of Water Forward.....	9	2}
Do.....aft.....	12	-}

JOSIAH FOX.

[NDA, LB. Correspondence when Navy was under War Department, 1790-1798.]

[1 July 1797]

## Act Providing for Naval Armament

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be and he is hereby empowered, should he deem it expedient, to cause the frigates *United States*, *Constitution*, and *Constellation*, to be manned and employed.

SEC. 2. *And be it further enacted*, That there shall be employed on board each of the ships of forty-four guns, one captain, four lieutenants, two lieutenants of marines, one chaplain, one surgeon, and two surgeon's mates; and in the ship of thirty-six guns, one captain, three lieutenants, one lieutenant of marines, one surgeon, and one surgeon's mate.

SEC. 3. *And be it further enacted*, That there shall be employed in each of the said ships, the following warrant officers, who shall be appointed by the President of the United States, to wit: one sailing master, one purser, one boatswain, one gunner, one sail-maker, one carpenter, and eight midshipmen; and the following petty officers, who shall be appointed by the captains of the ships respectively, in which they are to be employed, viz: two master's mates, one captain's clerk, two boatswain's mates, one cockswain, one sail-maker's mate, two gunner's mates, one yeoman of the gun-room, nine quarter gunners, (and for the two larger ships two additional quarter gunners) two carpenter's mates, one armourer, one steward, one cooper, one master at arms, and one cook.

SEC. 4. *And be it further enacted*, That the crews of each of the ships of forty-four guns, shall consist of one hundred and fifty seamen, one hundred and three midshipmen and ordinary seamen, three sergeants, three corporals, one drum, one fife, and fifty marines: and that the crew of the ship of thirty-six guns shall consist of one hundred and thirty able seamen and midshipmen, ninety ordinary seamen, two sergeants, two corporals, one drum, one fife, and forty marines, over and above the officers herein before mentioned.

SEC. 5. *And be it further enacted*, That the pay and subsistence of the respective commissioned and warrant officers, be as follows: A captain, seventy-five dollars per month, and six rations per day, a lieutenant, forty dollars per month, and three rations per day; a lieutenant of marines, thirty dollars per month, and two rations per day; a chaplain, forty dollars per month, and two rations per day; a sailing master, forty dollars per month, and two rations per day; a surgeon, fifty dollars per month, and two rations per day; a surgeon's mate, thirty dollars per month, and two rations per day; a purser, forty dollars per month, and two rations per day; a boatswain, twenty dollars per month, and two rations per day; a gunner, twenty dollars per month, and two rations per day; a sail-maker, twenty dollars per month, and two rations per day; a carpenter, twenty dollars per month, and two rations per day.

SEC. 6. *And be it further enacted*, That the pay to be allowed to the petty officers, midshipmen, seamen, ordinary seamen and marines, shall be fixed by the President of the United States: *Provided*, that the whole sum to be given for the whole pay aforesaid shall not exceed fifteen thousand dollars per month, and that each of the said persons shall be entitled to one ration per day.

SEC. 7. *And be it further enacted*, That the ration shall consist of as follows: Sunday, one pound of bread, one pound and a half of beef, and half a pint of rice; Monday, one pound of bread, one pound of pork, half a pint of peas or beans, and four ounces of cheese; Tuesday, one pound of bread, one pound and a half of beef, and one pound of potatoes, or turnips and pudding; Wednesday, one pound of bread, two ounces of butter, or in lieu thereof six ounces of molasses, four ounces of cheese, and half a pint of rice; Thursday, one pound of bread, one pound of pork, and half a pint of peas or beans; Friday, one pound of bread, one pound of salt fish, two ounces of butter, or one gill of oil, and one pound of potatoes; Saturday, one pound of bread, one pound of pork, half a pint of peas or beans, and four ounces of cheese; and there shall also be allowed one half pint of distilled spirits per day, or in lieu thereof one quart of beer per day, to each ration.

SEC. 8. *And be it further enacted*, That the officers, non-commissioned officers, seamen, and marines, belonging to the navy of the United States, shall be governed by the rules for the regulations of the navy heretofore established by the resolution of Congress of the twenty-eighth of November, one thousand seven hundred and seventy-five, as far as the same may be applicable to the constitution and laws of the United States, or by such rules and articles as may hereafter be established.

SEC. 9. *And be it further enacted*, That the appointment of the officers to the frigates may be made by the President alone in the recess of the Senate; and their commissions, if so appointed, shall continue in force till the advice and consent of the Senate can be had thereupon at their next meeting which may happen thereafter.

SEC. 10. *And be it further enacted*, That the seamen and marines shall not be engaged to serve on board the frigates, for a period exceeding one year; but the President may discharge the same sooner if in his judgment their services may be dispensed with.

SEC. 11. *And be it further enacted*, That if any officer, non-commissioned officer, marine or seamen belonging to the navy of the United States, shall be wounded or disabled, while in the line of his duty in public service, he shall be placed on the list of the invalids of the United States, at such rate of pay and under such regulations as shall be directed by the President of the United States: *Provided always*, that the rate of compensation to be allowed for such wounds or disabilities to a commissioned or warrant officer shall never exceed for the highest disability half the monthly pay of such officer at the time of his being so disabled or wounded; and that the rate of compensation to non-commissioned officers, marines and seamen, shall never exceed five dollars per month: *And provided also*, that all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

SEC. 12. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, if circumstances should hereafter arise, which in his opinion may render it expedient, to increase the strength of the several revenue cutters, so that the number of men employed do not exceed thirty marines and seamen to each cutter; and cause the said revenue cutters to be employed to defend the sea coast, and to repel any hostility to their vessels and commerce, within their jurisdiction, having due regard to the duty of the said cutters, in the protection of the revenue.

SEC. 13. *And be it further enacted*, That the compensations established by the first section of the act passed on the sixth day of May, one thousand seven hundred and ninety-six, entitled "An act making further provision relative to the revenue cutters," be, and the same is hereby continued and confirmed, on the terms and conditions of the said act, to the mariners and marines, who are or may be employed as aforesaid.

SEC. 14. *And be it further enacted*, That this act shall continue in force for the term of one year, and from thence to the end of the then next session of Congress and no longer.

Approved, July 1, 1797.

[Statute I, page 523.]

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To Joshua Humphreys, Naval Constructor, from Secretary of War

[PHILADELPHIA,]

W. O. July 25<sup>th</sup> 1797

JOSHUA HUMPHREYS

*Naval Constructor*

SIR You will be pleased to proceed forthwith to the Navy Yard at Baltimore in Maryland, and in conjunction with Capt<sup>r</sup> Truxtun, and M<sup>r</sup> David Stodder the Constructor, consult on the best Method to be pursued in Launching the Frigate *Constellation* into the Water (so as to float) without Sustaining injury by the Operation. It may be proper for you to survey the State of the Ship as she stands on the Stocks. observe with what descent the Keel is laid, and also sound the water at several distances from the wharf: You will also examine the depth of Mud where she may come in contact with it, and ascertain whether its consistence be such as to endanger, or injure the Ship in her progress thro it.

I have also to request that you will be pleased to State to this Office as soon as possible whether it will be proper to completely copper the Bottom of said Frigate on the stocks, or to heave her down after she is launched to perform that work.

[NDA, LB. Correspondence when Navy was under War Department, 1790-1798.]

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To Captain Staats Morris, Baltimore, from Secretary of War

[PHILADELPHIA,]

W. O. July 26<sup>th</sup> 1797.

Capt<sup>r</sup> STAATS MORRIS

*Baltimore*

SIR Capt<sup>r</sup> Truxtun reports that there are several Guns, Twelve pounders at Whetstone Point that are suitable and much wanted for the Frigate *Constellation* at Baltimore.

You will therefore be pleased to deliver to Capt. Truxtun or his order, Twelve Guns of that Calibre, and such as he may point out proper for that Ship, for which you will take duplicate receipts, one of which you will be pleased to transmit to this Office —

[NDA, LB. Correspondence when Navy was under War Department, 1790-1798.]

To General Henry Jackson, Navy Agent, Boston, from Secretary of War

[PHILADELPHIA,]

W. O. August 1<sup>st</sup> 1797.

Gen<sup>l</sup> HENRY JACKSON,  
Boston.

SIR M<sup>r</sup> Francis having been greatly disappointed in his indeavours to have the two Fire Engines for the Frigate *Constitution*, made in this City: and relying on the report of Capt<sup>n</sup> Nicholson who informs me that a M<sup>r</sup> Thayer at Boston makes the best Fire Engines in America, and on the simplest principles.

It is therefore my wish, that the two Fire Engines for that Ship may be made by him under the inspection of Capt<sup>n</sup> Nicholson, who will be pleased to give such necessary directions for their sizes as he may judge proper.

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Captain Thomas Truxtun, U. S. Navy, from Josiah Fox

[PHILADELPHIA,]

War Office August 7<sup>th</sup> 1797

Capt THOMAS TRUXTUN.

SIR I am directed by the Secretary of War to request that you will make enquiry whether it may be possible to procure at Baltimore by purchase 26 nine pounders and 12 six pounders suitable for the Algerine Frigate, if such guns are procureable you will be pleased to State the price demanded for them, and if of one Mould it will be preferable.

M<sup>r</sup> Hughes having failed in his Contract with the Secretary of the Treasury for nine and six pounders for that Ship has greatly disappointed the Secretary of War; as that Ship is completely rigged, Ballasted, and in other respects ready for Sea, it is a great pity she should be Detained on that account.

The Secretary of War by last post received a letter from Captain Nicholson in which he requests the Anchor lying at Portsmouth for his Ship, I could have wished it had been ordered for Baltimore as its size is much more suitable for the *Constellation* viz<sup>t</sup> 44<sup>o</sup> 2<sup>b</sup> 14<sup>lb</sup>.

I am &c,

JOSIAH FOX.

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

Uniform Regulations, 24 August 1797

UNIFORM FOR THE NAVY OF THE UNITED STATES OF AMERICA

*Captains Uniform*

Full dress Coat. Blue Cloth, with long buff lappels, and standing collar and lining of buff to be made and trimmed full with a gold Epaulet on each shoulder. the cuffs, Buff, with four Buttons, and four Buttons to the pockets. Lappels to have nine buttons



and one to the Standing Collar, Buttons Yellow metal, and to have the foul Anchor and American Eagle on the same.

Vest and Breeches. Buff. with flaps and four Buttons to the pockets of the Vests, so as to correspond and be in uniform with the Coat. Buttons the same kind as the Coat, only proportionably smaller.

#### *Lieutenants*

Coat Long; Blue: with half lappels standing collar and lining of buff. the lappels to have six buttons and one to the collar; below the lappel, right side three buttons, left side, three close worked button holes: three buttons to the pocket flaps, and three to a slash sleeve with a buff cuff. one gold Epaulet on the right shoulder Trimmings, plain twist.

Vest and Breeches. Buff — The former to be made with skirts, and pocket flaps but to have no buttons to the pockets. The buttons for the Vest and Breeches, and Coat, the same as for the Captains Uniform.

#### *Lieutenants of Marines*

Coat Long: blue; with long lappels of red; standing collar and lining red; The lappels to have nine buttons, and one to the standing collar. Three buttons to the pocket flaps and three to a slash sleeve with a red cuff. one gold Epaulet on the right shoulder for the Senior Lieutenant, where there are two Lieutenants for the same ship, and one on the left shoulder for the second officer. Where there is only one Lieutenant he is also to wear the Epaulet on the right shoulder. Trimmings plain.

Vest and Breeches. The former, red with skirts & pocket flaps, but to have no buttons to the pockets — The latter blue — buttons for the suit the same as the Captains and Lieutenants.

#### *Surgeons*

Coat — long. Dark Green, with black velvet lappels, and standing collar, Lappels to have nine buttons and one to the standing collar — no lining other than being faced with the same cloth as the coat. Slash Sleeves. the cuff the same as the facings, with three buttons. Pocket flaps, plain.

Vest and Breeches. The former red, double Breasted — the latter, Green, same as the coat. Buttons, the same as the Officers.

#### *Surgeon's Mates*

The same as the Surgeons, with only this difference in the Coat, to wit — half Lappels, with six buttons and one to the collar; below the lappel, right side three buttons; left side three close worked button holes.

#### *Sailing Master*

Coat. Long. Blue; with facings and standing collar of the same, edged with buff Nine buttons to the lappells, and one to the standing collar. Lining blue or faced with the same as the coat — slash sleeve, with three buttons. pockets plain.

Vest and Breeches. Plain Buff Vest — and blue Breeches. Buttons (for the suit) the same as for the Officers.

*Purser*

Coat. Plain frock Blue Coat, with the proper naval buttons: No lappels.

Vest and Breeches. Buff and plain.

*Midshipmen*

Coat. Plain frock coat of blue, lined and edged with buff: without lappels. a standing collar of Buff, and plain buff cuffs, open underneath with three buttons.

Vest and Breeches. Buff — former to be made round and plain, buttons (for the suit) the same as before described.

*Marines*

Plain Short coats of blue, with red belt, edged with red, and turned up with the same, with common small naval buttons, with blue pantaloons edged with red & red Vests. — Captains, Lieutenants, and Marine Officers to wear when full dressed cocked hats with black cockades, and small swords (Yellow Mounted) — & when undressed such swords as may be hereafter fixed on, or ordered, which said swords are to be worn at all times by the Midshipmen, who are to wear cocked hats, &c when full dressed *only* — Surgeons; Mates; Sailing Masters; & Purser — cocked hats and black cockades.

N. B.—Summer dress — Vests and breeches (excepting for Marine Soldiers) to be White, or Nankeen, as may correspond with the Uniform &c &c Marines White linen overalls.

(Copy) signed JAMES MCHENRY, Sec<sup>y</sup> of War.

Dated War Office, 24 Aug<sup>t</sup> 1797.

[NDA. Area 11, 24 Aug. 1797.]

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To Lieutenant Simon Gross from Captain Thomas Truxtun, U. S. Navy

BALTIMORE 30<sup>th</sup> Aug<sup>t</sup> 1797

DEAR SIR As you are the first Lieutenant of the United States Frigate *Constellation*, under my Command, you will be pleased to repair at your post, on the first day of September next, and do your duty as such it being understood, that your pay and rations are to commence from that time, Agreeable to an Act of Congress passed the last Session, Copy of which I delivered you, with your appointment received from the Secretary of War.

Whether I continue any Length of time in the Navy or not, depends on Circumstances, but whether I do or do not, I wish you prosperity and honour, the Source of which is attention to duty, fondness for the Ship and the general and particular Interest of the Service.

Numerous are the Officers in every Country, that from a want of fidelity, sobriety and attention to duty, put it out of the power of their respective Governments, and friends to promote and serve

them, and this fact shou'd be known and engraven on the mind of every one who wishes to become an Officer. Permit me then to offer you such advice, as flows from the heart of a man, much dispose : at all times to interest himself in your behalf. Naval business in its various branches, I am sorry to say is not as generally understood in the United States as could be wish'd, and it is by time only, that many of the Officers can be thoroughly initiated, so as to comprehend properly what they undertake to perform, this every day experience Convinces me more and more, hence I have found much trouble, in having executed many things, that you now see completely arranged, and which I trust will not only serve as example and benefit the service, but at the same time when our Frigate is Completed, will be gratifying to every seamans eye: but of what avail are the best arrangements, if unattended to by Officers, who individually & collectively ought to consider themselves as a part of the sinues and vital parts of the Ship.

The new order of things have led me Sir, to observations in this letter (which I present to you before you enter on the duties of your Office) that cannot well be introduced in the rules and regulations that I shall form and establish for the ship, all of which must be minutely attended to, and while I mention to you the necessity of a discreet manlike Conduct and proper subordination to be observed, by every Officer belonging to the Ship it must not be understood, that I shall ever countenance tyranny, any more than I shall pass over impotency and a Sluggardly demeanour in any person.

You will therefore be pleased to receive the following; as the Out lines and Basis of that Conduct, which I expect will be observed by all who wish to merit my esteem while I have any thing to do with their Service and I am the more particular on this Subject, as I ardently desire to see that harmony prevail on board the Frigate, which with good Subordination must insure a happy result, Should it be necessary to bring forward our United efforts against an enemy.

In the first place, it is the duty of every one and more particularly Officers, to Support Studily the Constitution and Government under which we derive our Commissions, and in a regular Service Such as we are engaged in, no Officer must attempt to offer an opinion to me on the duty to be performed, without its being previously asked, but on the Contrary, Carry all orders into execution without hesitation or demur. Such example will act as a Stimulus to Officers of an inferior grade, as well as others, and introduce that sort of Subordination, which can only insure a happy and well govern'd Ship. Secondly an Officer in Carrying on duty agreeable to his Station or otherwise, Shou'd be Civil and polite to every one, and particularly so to Strangers for Civility does not interfere with discipline; So that the detestable and ruinous practice to Subordination in being too familiar with Petty Officers &c is not practised. — Thirdly — While an Officer is diligent in doing his duty and Causing Others to do theirs, and in preventing Sculking and Loitering about, he is at the same time never to lose sight of that humanity and Care that is due to those who may be really Sick, or otherwise Stand in need of his assistance and attention.

Fourthly, No Officer must ever Sleep out of the Ship or absent himself, or grant that permission to others without leave from me or my representative for the time being — Fifthly I must always be informd by the Officer on duty of any impropriety Committed or

Attempted to be Committed particularly where it has a Mutinous tendency — Sixthly every Officer is to be particularly attentive to the rules and regulations of the Ship; the Quarter Bill and the Articles of war; for to obey without Hesitation, is a maxim always practised by me to my Superiors, in every point of duty, and the same sort of Conduct I expect in return by all Officers under my orders. — Seventhly, the Ettequete to be observ'd by Officers on duty, going out or Coming on board the Ship, Stepping on the Quarter Deck, addressing each other on duty, and of every inferior discription of persons in Service, to Officers passing each other on or off duty, is to simply lift their hat, and on delivering a Message or bringing an answer &c Petty Officers, Seamen, Ordinary Seamen or Marines Speak holding their hats in hand.

The State rooms & Cabbins of all the Various officers, will be lettered So, as each on going on board can emediately repair to his birth, without disputes or altercations respecting a Choice. the Order of hanging the Hammocks and Marking them will be such as to prevent any difficulty or Confusion among the different grades of people, or from their being improperly intermixed, and no Officer or man whatever is to Change the place allotted for him, but by a Special order from me — As the regulations of the Ship, which I shall frame in due time, will explain all the Minute points of duty necessary to be observed by the whole Crew; you must consider the present as a Communication merely for your own Government in the mean time, and that of the Gentlemen of the Gun room, and but little more than preparatory to such regulations; tho always to be attended to notwithstanding. — Before I conclude this epistle I must once more remind you; that from thirty two Long Years experience and Constant Practice at Sea, on board Various Ships from a 64 down, that I have remark'd that no sort of Conduct in any officer on board, have a tendency to lessen his Authority and the respect due to himself So much as an improper familiarity with the petty Officers &c and on the Contrary, the effect a free open polite Conduct among those, who are of his Mess is always the reverse. — When I invite any of the Gentlemen of the Quarter deck to my Table, I shall expect all that reserve when on duty Set aside, except what a just decorum and becomeing deference may warrant among Gentlemen, for by throwing off restraint on Such Occasions all will be at their ease, and I Shall be better able to judge of the Capacities of each, as to men and things and employ them on Certain Occasions accordingly; for in Naval Service different abilities are often Necessary, and altho' each may be Equally a good Seamen and brave Officer Yet each may not have talents alike in other respects. — too great a disposition to punish where we have power is not necessary either to facilitate business, or to keep alive good Subordination (Tho punishment among refractory Men Cannot be dispenced with) provided the deportment of an Officer is Correct, and where his temper is unhappily inclined, he Should Strive to Check it, as much as is Consistent with the Character of a Gentleman, for that Character Shoud never be Separated from the Officer. Altho' it is expected that every dangerous procedure will be communicated to me from time to time, as soon as it is Known or discovered; it is not expected or required that I Should be troubled with such trifling circumstances as are of no Consequence,

and may be adjusted without any interference on my part, particularly when they are of a private Nature — The United States of America must have a Navy or Cease to be a Commercial Nation, it is therefore highly necessary that a proper System of Subordination attention to duty and respect be introduced in its first out set, otherwise the Consequences are easy to be foreseen (by Men of discernment) especially when at this day, there is Scarcely Officers of tollerable abilities to be found (who have had any experience) for the few heavy Ships we have built, and among these few Scattered from one end of the United States to the other, we find them frequently given up to that detestable vice drunkenness, which must always render every officer unworthy and unfit for Service particularly for any important Service; in fact every drunkard is a Nuisance and no drunkard ought to be employ'd and if employ'd Shall ever remain an Officer with me; I do not mean to insinuate that a Convivial fellow is a drunkard, who may become Chearful in Company, the distinction is too great to make it necessary for me to draw any line on that Subject. — The sentiments Contain'd in this letter, you will be pleased to make Known, to every one who may be appointed to the Ship, in order that we set out fair, and a Steady adherence to the same will be expected by me.

I shall open a book the day you enter on duty in which I shall place from time to time, all essential Orders.

I am Sir with great respect Your

Very Ob<sup>t</sup>,

THOMAS TRUXTUN.

Lieutenant SIMON GROSS.

#### STOWAGE OF THE *Constellation's* HOLD

Every Sea Officer ought to know, that a Ships tendency to pitch and Roll, may be diminished in a great measure, by a Judicious distribution of her Stowage, the heaviest parts therefore, should be placed as near the Center of Gravity as possible; this all experienc'd men who have talked and wrote on the Subject are agreed in—The Center of Gravity is that point by which a body may be suspended, and the parts remain in perfect equilibrium, but to come at the Center of Gravity Minutely, requires judgment as well as to ascertain exactly the Center of Cavity[Gravity], Center of Motions and Metacentre, all of which must be determined, otherwise a Ship Cannot be loaded, so as to be easy on riging and Spars or to Sail fast.

Altho' our Frigates are the best built Ships, that was ever known to be Composed of wood and Metal, they are not without their faults; the principle one is the extreme breadth, being placed so Very far for head that it causes both an uncommon great draught of water & great difference of draught; hence their ballast must be placed and hold stowed, different to almost any other sort of Ships; the Center of Gravity being so very different; this being the Case I have Considered, Calculated and determind as follows to Wit,

The Iron Kentledge to be Stowed from the fore part of the Step of the Main mast in two tier to the Cole room Bulk head, which is [space] feet abaft the Step of the fore mast, placing the greatest part of it in the Center of this space and as high as the floor heads on each side agreeable to the annex'd plan. The Iron Kentledge which I

calculated for this Frigate and made requisitions for before She was half built is 75 Tons which I find will be fully Sufficient, after receiving 100 pieces of it to be kept at hand to trim the Ship Occasionally, and to ballast boats — over the Iron ballast is to be levelled a Quantity of Shingle ballast, So as the ground tier of water may be Stowed on an even Surface, and the diameter of the Casks Sunk down about  $\frac{1}{4}$  in it, In Stowing the Water Casks, they are placed Chine and Chine and bouzel[?] & Chine according to the different Size Casks, beginning at the Coal room bulk head and leaveing any breakage that there may be in the after hold — the different Teirs are Carried up to the beams, and Clean Shingle ballast is to be laid between every rise, so that the whole quantity of Shingle ballast does not exceed for this ship 150 Tons. — Over the ground rise of Water under the fore Orlope Wet provisions wood and other unperishable Stores are to be Stowed as also abrest and under the fore hatchway, and abrest the Main Mast and after pump Wells but abaft the after pump wells, dry provisions are to be Stowed.

All Ships after being properly ballasted: Shou'd have their Stowage Arranged, as to enable the trim to be preserved Notwithstanding the daily Consumption of provisions and Water and if this precaution is not taken, no Ship Can be kept in trim any length of time at Sea.

The Stores of the different Officers, will be placed in the Store rooms, prepared for that purpose, and the Spirits in the room of that name the Powder in the Magazine, the key of which ought always to be kept by the Commander of every Ship of War.

BALTIMORE, 18<sup>th</sup> September 1797.

To M<sup>r</sup> SIMON GROSS,  
1<sup>st</sup> Lieutenant of Frigate *Constellation*.

[LC. J. R. P., Vol. 1, Second Series, 1775–1805.]

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To Captain John Barry, U. S. Navy, from Secretary of War

Near DOWNINGSTOWN, 30<sup>th</sup> August. 1797

Capt<sup>n</sup> JOHN BARRY.

SIR: I have your letter of the 28<sup>th</sup> instant. and am very happy to learn that the Careening business is finished and the damage which the Frigate had received in launching completely repaired. As soon as you get your ballast &c replaced, I think it will be proper to Moor the Ship in the Stream, at a safe distance from the wharves. You will then take on board your Guns and such Articles to fit her for sea as the Purveyor has had orders to provide: and should there be any yet to be procured you will address M<sup>r</sup> Francis on the subject.

Lieut<sup>t</sup> McRea with the Men he has enlisted ought to go on board as soon as possible, and the present guard sent to their company at Fort Mifflin. With respect to Seamen to assist in fitting the Ship for Sea, I have no Objection to your engaging for a Month at such wages as will Obtain good seamen, as many as may be wanted. If possible you will not give more than 14 dollars, but I leave the Wages to be determined by circumstances and your own judgment.

You may order D<sup>r</sup> Gillaspy on board whenever you may think proper.

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Joshua Humphreys from Captain Thomas Truxtun, U. S. Navy

BALTIMORE 7<sup>th</sup> September 1797

DEAR SIR — At 9 A M, the Frigate *Constellation* was Safely launched — A Better Launch I never Saw; the Ship Cleared the ways, without touching or Meeting with the Smallest Accident — in fact every precaution to Guard Against Accident, Stodder tooke, and for the Manner he Secured, and laid the Ways, I cannot but give him, the highest Credit as a Master Builder &c. — Tomorrow I shall erect the Sheers, and on Saturday take in the Mizzen Mast.

I hope Soon to hear more favorable Accounts from Philadelphia, with Respect to the fever. —

Health and Happiness  
in great haste

THOMAS TRUXTUN

N. B. The Ship did not  
Strain in the least, or  
Straiten her Sheer — }

Mr JOSHUA HUMPHREYS.

[HS of Pa. NDA photostat.]

To George Claghorne from Secretary of War

[PHILADELPHIA,]  
W O. Sept<sup>r</sup> 10<sup>th</sup> 1797 —

GEO. CLAGHORNE

SIR I received your letter of the 4<sup>th</sup> instant — yesterday, informing me of the present State of the Frigate *Constitution*, and submitting the propriety of Launching her during the high tides of the present month, noticing at the same time that the work which must be done after getting her into the Water could be cheapest performed while on the Stocks —

If in your opinion it would be unsafe to trust to the tides in October — I very readily agree to her being launched in this Month; but if we may venture the delay till October and it would be a saving in point of expence I should prefer it, especially as it does not appear to me that any thing could be gained by a premature launch to counterballance the expence —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Tench Francis, Purveyor, from Secretary of War

Near DOWNINGSTOWN 18<sup>th</sup> Sept<sup>r</sup> 1797

TENCH FRANCIS

SIR The Frigate *Constellation* requiring a heavy Anchor to keep her from accidents during heavy Squalls or Spurts of wind, I beg you will be pleased to inform me whether the one of this description that I requested you to have brought round from Portsmouth or the eastward has yet arrived or if not what measures have been taken for its transfer to Baltimore. I am getting better.

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To David Stodder, a naval constructor, from Secretary of War

Near DOWNINGS TOWN 6<sup>th</sup> Oct<sup>r</sup> 1797

M<sup>r</sup> DAVID STODDER —

SIR The necessity there is for completing the Ship *Constellation* in the shortest possible time, makes it proper that I should request that you will use your utmost diligence to put her in a situation to leave Baltimore by the most prompt, full and undivided exertion of your whole time, talents and force —

Should she suffer by any want of Industry or exertion upon your part, it will necessarily and justly be ascribed to you. I wish this to be avoided, and am with great regard &c —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Jacob Sheafe, Navy Agent, Portsmouth, N. H., from Secretary of War

[PHILADELPHIA]

War Office November 10<sup>th</sup> 1797 —

JACOB SHEAFE Esq<sup>r</sup>

SIR The Anchor which is in the Navy Yard at Portsmouth of 44<sup>wt</sup> 2<sup>lb</sup> 14<sup>lb</sup> being suitable and much wanted for the Frigate *Constellation* lying in the Chesapeak below Baltimore I have to request that you will be pleased to get it conveyed to the Said Ship in the cheapest and most expeditious manner possible

If no opportunity should offer at Portsmouth for any port in the Chesapeak, you are in that case to send it thro' the medium of Boston or New York and by no means to be landed at either of those places, but to be taken along side of the Frigate which will be by that time at Anchor in some part of the Chesapeak Bay or Potapsco

I am &c

J. M<sup>th</sup> H[ENRY]

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]



To J. Wilkens from Secretary of War

[PHILADELPHIA,]

War Office 1<sup>st</sup> December 1797 —

J. WILKENS Esquire

SIR I inclose you a Draught of a Gally & an Estimate of the probable cost (if built here) and particular definition of the prices of Timber &c to be employed in its construction.

Two of these will be wanted for the better protection of our Ports, on the Ohio and Missisipi; and it is expected can be built at or near Pittsburgh and completed in time to fall down to Massac with the first rise of the waters in the Spring.

You will be pleased to inform me as soon as possible whether you can procure qualified Workmen who will undertake to build them, the terms on which they can be procured, the price of the Timber and Materials within your reach, and what Articles it will be Necessary should be sent from this quarter.

I can send a Superintendant to direct the Construct<sup>n</sup> and forward the Work by his Knowledge and exertion —

In the mean while you will commence to engage the timber and have it brought to the place where it will be proper to build the Galleys.

I am &c

It is probable that a departure from the plan may be ordered viz: the upper part of the side to flaire off about one foot — particulars will be sent you in time for the Construction. This alteration however need not prevent the procuring the timber &c

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To S. & J. Sterretts from Secretary of War

[PHILADELPHIA,]

War Office 4<sup>th</sup> December 1797

Mess<sup>rs</sup> S & J. STERRETTS

GENTLEMEN The Chairman of the Committee of the House of Representatives on the Subject of the protection of Commerce have requested the Secretary of War to inform the Committee what further provisions appear to be necessary to complete and Man the Three Frigates for Sea —

It may therefore be proper to request that you will be pleased to furnish the Estimate and necessary information called for in my letter of the 6 ultimo as early as convenient —

I am &c

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

[27 Dec. 1797]

To Samuel Sewall from Secretary Timothy Pickering

DEPARTMENT OF STATE, Dec<sup>r</sup> 27<sup>th</sup> 1797.Honble. SAMUEL SEWALL, Esq<sup>r</sup>*One of the Committee of Commerce & Manufactures.*

SIR In consequence of your request to be furnished with the information received by this department of Captures by the Belligerent powers, not noticed in former reports, I have received the communications which have been made to me, I have distributed the information they contain under three heads, 1<sup>st</sup> as it respects the Spaniards: 2<sup>nd</sup> as it respects the British: & 3<sup>rd</sup> as it respects the French.

The present present in connection with former communications suggest the following Observations.

Besides the capturing, detaining & plundering of American vessels, of which the Spanish privateers are guilty, the Government of Spain has not afforded to our citizens the protection to which they are entitled by treaty & the law of Nations.

American vessels trading to Spain have been captured within its territorial limits. Others have been brought into the ports of Spain & condemned upon unjustifiable pretences in the Chanceries of the French Consuls, which hitherto have assumed & exercised the powers of Courts of Admiralty within the Spanish Territory, examining witnesses, hearing causes & pronouncing formal Sentences of confiscation & sale of American property. With a view probably of restraining some irregularities, his Catholic Majesty issued a Royal Cedula or declaration, dated at Aranjuez on the 14<sup>th</sup> of last June, of which a translation is enclosed. But this declaration, by limiting the immunity of the coasts to about half the distance, to which the usual jurisdiction of country has been deemed to extend, cannot fail to increase the depredations of armed vessels upon the commerce of Neutrals, more especially as they are permitted to lie in wait in the ports of Spain for the Sailing of American vessels, & immediately on their departure to Sally forth, capture & bring them back as prize. To so great an excess has this violation of our rights as neutrals been extended in Spain, that in March last there were lying in the port of Malaga, at one time, 14 American vessels, which were prevented from sailing, by the open & public threats of the crews of two French, privateers, then at Malaga, that it was their intention to capture them, as they departed. They were relieved from this embarrassment only by applying to Admiral Nelson at Gibraltar, who sent a frigate up the Bay to protect them. The *Polacre* independent (Mentioned in the last report) laden with Stores for Algiers, in pursuance of the treaty, having been Captured by a Spanish cruiser, on the 16<sup>th</sup> February last, & carried into Cadiz, was detained there until the 13<sup>th</sup> Aug<sup>t</sup> nor could She be permitted to depart for some time after her acquittal, as the French consul openly declared, She was liable to capture & *would be captured*, on account of her not having a rôle d'équipage & other documents, which he pretended were necessary: it was therefore feared, that he would send out a privateer to capture her: finally, however he gave her a passport.

Few complaints have been made of American vessels being captured by the British; except such as have been conducted within the jurisdiction of a Court of Vice Admiralty lately organized at the Mole of St. Nickolas. It having been alledged upon oath, that the Judge of that Court has in two instances refused (in one of them with circumstances of indency) to furnish American Claimants with copies of his proceedings & sentences in their cases, & there being some reason to suppose, that in other respects his official conduct was not unexceptionable, the minister of the United States at London has been instructed to make a representation of his conduct to the British Government, in order to obtain an investigation of the improprieties imputed to him.

Little remains to be added to the former report concerning French depredations, beside a reference to the details contained in the extracts from the consular & other letters & the cases abstracted from the documents furnished by individuals; whence it may be concluded, that those depredations have at least suffered no diminution either in extent or atrocity. With the aid of the old Marine Ordinances of France, the various decrees of it legislative bodies before & of the Executive Directory & their Agents since the formation of their new Government, at once in operation, & with the arbitrary constructions, which have been placed upon their treaty with us, few of our vessels are so fortunate as to escape condemnation, when they fall within the power of a French tribunal. We have heard of two of those tribunals, influenced by more liberal views, who have acquitted two American vessels, not provided with the rôle d'équipage in the form usually demanded; but the judgement of one, founded on those principles of justice & good faith for which we contend, has been reversed by the superior tribunal; & the same fate no doubt awaits the other.

The numerous captures of our Vessels in the West Indies by the French, & the forlorn & miserable situation in which their crews are turned on Shore, without subsistence or Cloathing, claimed at once the commiseration & aid of the Government. Their sufferings are fully detailed in the extracts from M<sup>r</sup> Mayer's letters, & in the letter from the Master of American vessels at S<sup>t</sup> Jago in Cuba. The United States Brigantine *Sophia* was therefore dispatched in August last to the various French & Spanish ports in the West Indies, where it was probable they might be found, to collect & bring home the Sufferers: — She has not yet returned.

On the 25<sup>th</sup> instant I received from our Consul, M<sup>r</sup> Mayer, at Cape Francois, an extract from the Register of the deliberations of the Commission delegated by the French Government to the Leeward Islands of which I have caused a translation to be sent to the Printer of the Gazette of the United States for Publication this day, & to which I beg leave to refer you for information of the alteration of their rules, relative to the capture of Neutral Vessels, going to or coming from *Old British Ports*.

I have the Honour &c.

TIMOTHY PICKERING.

[NOTE.—Enclosures 1, 2, 3 & 4, not included herewith, are as follows:—

1. Extracts from the consular letters respecting Captures by the Spanish, etc.
2. Royal Cedula of 14 June, 1797.
3. Extracts from the Consular letters, respecting Captures by the British.
4. Abstract of cases of capture of American Vessels by British cruizers, wherein documents have been received at the Department of State from the individuals aggrieved.

These documents are in the Archives of the State Department, Washington, D. C., in volume 10, of Domestic Letters.]

[Enclosure No. 5]

#### EXTRACTS FROM THE CONSULAR LETTERS RESPECTING CAPTURES BY THE FRENCH

The ship *Providence*, W<sup>m</sup> Furnace, Master, belonging to Colo. Hamilton & others, of Portsmouth, was carried into Curracoa, on the 18<sup>th</sup> July 1797 by the French Privateer *Voltaguere*, Captain Lombard, fitted out & owned at Curracoa. She had been bound from Trinidad to Portsmouth. The papers relative to the Ship & cargo were secretly dispatched to S<sup>t</sup> Domingo, where a condemnation was obtained. They were worth together 50,000 dollars.

B. H. PHILLIPS, 3<sup>d</sup> Aug<sup>t</sup> 1797.

The Ship *Nancy*, W<sup>m</sup> Perry, master, of Philadelphia was condemned at S<sup>t</sup> Domingo on the frivolous pretext, "that there was found on board a letter in Hieroglyphicks or other Characters, & to which a key was found." I think it is very probably both were manufactured, in Curracao. *ibid*. This vessel was bound to London, & captured, the day after she left the land, by the French privateer *Pandor*, Cap<sup>t</sup> Garriscan, who placed a prize Master on board of her & sent her to Curacao. On the passage the prize-master treated the Captain & crew in a very cruel manner; & even whilst at Curacao threats were permitted to be used against the Captain's life, by means of which he was induced to abandon the vessel & return. B. H. Phillips, 21 June 1797.

Since my last the following vessels & their cargoes have been condemned & Sold. Some of them indeed were Sold previous to Condemnation, & the *Ann* & *Susan* adjusted without Sale. Ship *Fame*, Schooner *Gideon*, Ship *Ann* & *Susan*, Sloop *Sally*, Brig *Orange*, Schooner *Act*, Schooners *Richmond*, *Esther* & *Eliza*, & *Isabella*. B. H. Phillips 15 June 1797.

The following is a list of the vessels brought into this port.

1. The *Rainbow*, Capt. Smith, bound from Charleston to London with rice, cotton & Coffee. The vessel was owned by M<sup>r</sup> John Geyer of Charleston & the Cargo loaded by Mess<sup>rs</sup> Banks & Co. Bold & Rhodes & George Lockey.

2. The *Charlotte*, Capt. Lindsay from Charleston to Bremen with Rice, Cotton, Sugar, Coffee & Skins. The vessel was owned by Mess<sup>rs</sup> J. H. Large & C<sup>o</sup> Charleston; & the cargo was loaded by them, M<sup>r</sup> Peter Graaft, George Forrest, Macbeth & Ross & John Cockle.

3. The *Juna*, Capt. Walter, from Charleston to Hamburg with Rice, Coffee &c. The vessel owned by M<sup>r</sup> James Sheafe, & the cargo loaded by Mess<sup>rs</sup> Tunno & Cox of Charleston.

4. The *Hebe*, Capt. Lindegreen, bound from Savannah to Lancaster, with cotton, rice & lumber — The vessel owned by M<sup>r</sup> E. Swarback of Savannah & Loaded by himself.

5. The *Catherine* Capt. Carneau, bound from Virginia to Rotterdam, with Tobacco — the vessel owned by Mess<sup>rs</sup> Anthony & Moses Davenport of Newbury Port, Massachusetts, & the Cargo loaded by Alexander Henderson & John Gibson of Dumfries

6. The *Oneida*, Capt Sherry, bound from New York to London, with Sugar, Coffee &c. The vessel owned by M<sup>r</sup> James J. Burkley of New York; & the cargo loaded by different Merchants & consigned to divers people.

7. The *Briseis*, Capt James Breath, bound from New York to Amsterdam with Sugar & Coffee — the Vessel owned by Mess<sup>rs</sup> Rutgers, Seaman & Ogdin of New York — the cargo chiefly loaded by Mess<sup>rs</sup> Pearsoll & Pell.

All these vessels have been brought in on the plea, that they had not the *Rôle d'équipage* or list of Seamen, required to be signed by a public officer, as expressed in the Sea letter. P. F. Dobree, Consul at Nantes, 7 June 1797.

List of American vessels brought into Nantes, subsequently to the 7 June 1797, by privateers.

1. The *Confederacy*, Capt. Scott Jenks, bound from Canton to Hamburg & a Market, loaded with teas, China, Cassia sugar &c. owned by Mess<sup>rs</sup> Leffingwell & Pierpont of New York.

2. The *Mary*, Capt Thomas Curtis, bound from Marblehead to Lisbon with fish, owned by M<sup>r</sup> John Brown of Norfolk.

3. The *American Hero*, Capt Alexander M<sup>r</sup> Dougall, bound from New York to Cadiz with Rice & flour, loaded by Mess<sup>rs</sup> Douglass & Lawrence & Brothers Coster of New York — the vessel owned by him.

4. The *Mercury*, Capt Thomas Vicoun bound from Norfolk to Breman, owned by himself & W. Hector Calbraith of Philadelphia, loaded with Tobacco.

5. The *Mary*, Capt. Robert Holmes, bound from Boston to Naples, with Sugar, Coffee, Nankeens &c owned by M<sup>r</sup> James B. Marshall of Boston.

6. The *Light Horse*, Capt. John Hoff, bound from Bristol to New York, with Sundry articles, owned by Mess<sup>rs</sup> Nathaniel Ingraham & Comfort Sands of New York.

7. The *Sally*, Capt Benjamin Russell of Salem, Chartered by W. W. Gray of Said Port & Bound to Bilbao with a cargo of fish.

8. The *Bacchus*, Capt Richard George bound from Philadelphia to London with Molasses, peltry, rice &c. owned by Mess<sup>rs</sup> J. Campbell & John Brown of Said Philadelphia. P. F. Dobree, 11 July 1797.

The Brig *Carolina*, of Boston, Capt Morton, & her cargo were condemned in the Court of Commerce at Bayonne. There remains at that port for trial the *Molly*, Capt. Stumper, carried into Bilbao by a privateer of this Place; & the [space] Capt. Ross of Marblehead, taken by a privateer of Bayonne, bound from Massachusetts to Spain, with fish &c under the pretext of the want of a rôle d'équipage. At this port there have been brought in the Brigantine *Washington*, Capt Graham of New York bound from Cork to New York with passengers & some few goods, & the Ship *Venus*, Capt Berril, of Wiscasset, from Wales bound to New York, loaded with earthen ware & Slates, both taken by National Vessels, under the same pretext. J. Fenwicke Bordeaux 25 Aug<sup>t</sup> 1797.

The Brig *Venus*, Capt. John Harmon, from Port au Prince to Massachusetts, with Molasses, the proceeds of her outward cargo, was captured & carried into Gonaives. She was condemned at Cape Francois for want of a Sea letter. Jacob Mayer Sep<sup>r</sup> 30 1796.

I have lately had much trouble & vexation about 52 of our Vessels which have been carried into the french port of St Domingo & Condemned by the delegate residing in that port. Seven of the Captains thus carried in & Condemned, arrived here, Viz.

THOMAS BOYLE, Brig *Mary*, from Baltimore  
 DANIEL STAY[?], Schooner *Catherine*, Philadelphia  
 AUGUSTUS PECK, Brig *Franklin* — Philadelphia  
 [space] LILLIBRIDGE, Brig *Kerumhappuch*, do.  
 JOHN MAY, Brig *Nancy*, New York  
 JOHN WIER, Brig *Free Mason*, New York  
 JOHN HOWLAND, Schooner *Rainbow*, Massachusetts.

I am certain they mean to condemn all our vessels bound to British Ports, particularly to those ports possessed by the English in this Island. With respect to the Captains already mentioned, I have not yet been able to obtain the decision of the delegates, save that a Condemnation was pronounced upon one, viz, Brig *Mary*, Thomas Boyle, on the principle of his owner being a Frenchman born, & that another was acquitted, Viz. Schooner *Rainbow*, Joseph Howland, because previous to his Capture, he had cleared out from a French Port. I have no expectation of recovering the other five vessels, altho' they are owned by American Citizens. Same 10<sup>th</sup> Nov<sup>r</sup> 1796.

The Schooner *Zephir*, owned in Norfolk, & Commanded by Edward Hansford, last from the Mole was brought into this port yesterday afternoon. Same 26 Nov<sup>r</sup> 1796.

Our commerce is in a most deplorable State. Not a day passes, but one or more American Masters arrive in this City in quest of their Vessels. The captors generally take these masters on board of their privateers, send the prize into one port & run themselves into another. Indeed Sometimes they cruize about with them for one Month & when the number increases, so as to endanger the privateer, they throw some on Shore without a Shilling in their pockets or a second Shirt to some of their *Beaten Backs*. It would swell a volume, Sir, were I to give you particular details of the ill treatment we receive. Some time since the French privateer Brig<sup>e</sup> called the *Triumphant*, commanded by one Anthony Lobo, captured the Brig<sup>e</sup> *Friendship* of Salem, and forcibly took from on board of her the following Seamen, not giving them time to Carry their little trunks with them:

JAMES DARBY, <i>Mate</i>	} Born in Salem in the United States & having protections.
JOHN ALLEN	
WILLIAM DAWSON	
WILLIAM LOW	
ROBERT OSBORN	
JOHN JEFFERSON	
ARCHIBALD McLEAN, with a Protection	
One black man commonly called SIF SALEM	

Altho' the Brigantine hath been condemned these two weeks, nobody knows what has become of the Privateer. Perhaps in two weeks more, I have Some of the poor men, She forced on board, lying at my door half dead, it would wring your heart to see the distresses of our Seamen. Congress have not make sufficient provision for them. As a favor I got some into the Hospital; but they begin to be tired of me & will receive no more; & when I offer them to American Masters, they make a thousand excuses — I cannot force them. Same AUGT. 5<sup>th</sup> 1797.

I had the honor to write to you on the 5<sup>th</sup> instant, via Rhode Island. Since this Short period the commission have condemned about *twenty* of our vessels. Not a day passes, but one or two, & Sometimes three or four are adjudicated. The captors never bring them to this port: they carry them into other ports & send their papers hither; that is, such papers as Suit them. Hence before the masters have time or even permission to come here their vessels are condemned. The Commission will not listen to me on this subject.

I informed you in my last letter of the miserable State of our Seamen, & that I could not get any more into the Hospital. After much entreaty I have prevailed on the Director to receive them at half a dollar a day. Poetic language with all its glowing colours cannot convey to you even a faint idea of their distresses. Same AUG<sup>t</sup> 13, 1797.

The civil Tribunal of St Omer, on the arreté of the Directory of the 12<sup>th</sup> Frémairé taken on the arreté of the Directory of the 12<sup>th</sup> Frémairé taken on the report of the Minister of Justice, has confirmed the judgement of the tribunal of commerce of Bologne, Condemning the *Royal Captain*, John Bryant, Master & owner, & her cargo.

The Tribunal of Commerce of LaRochele has cleared the American Ship, *Roxana*, Capt. Pollard captured on her passage from Surinam to London, but the owners of the privateer have appealed.

The *Charlotte*, Capt. John Vincent is brought into Dunkirk, where it is supposed she will be condemned, having no sea — letter.

The *Hare*, Capt. Halley, belonging to M<sup>r</sup> Clazen of New York, bound from London to New York, is brought into Dieppe, & libelled before the Tribunal of Commerce. Fulwar Skipwith, Paris, 17 March 1797.

The tribunal of commerce of Dieppe decided on the capture of the *Hare*, Capt. Halley, & condemned the vessel & Cargo to the profit of the Republic, it appearing on trial, that the Master of the *Hare* was the Captain of the privateer, the war commission being in his own name. That of Calais has condemned the American Cutter *Dark*, Captain Davison, under the pretence, that her papers were not in Order — that vessel was seized in port. That of Dunkirk has condemned the *Charlotte*, Captain Vincent.

The *Sally*; Capt. Timothy Davis is capture & carried into Dieppe — no decision as yet. The Brig *Leonard* of Newbury port is in the same predicament. The tribunal of Commerce has condemned vessels & cargoes of the *John* of Boston, Cap<sup>t</sup> J<sup>r</sup> Scott J<sup>r</sup> & the D. of N. York, Capt. Andrew Foster. All the ships papers were in perfect order but they had no rôles d'équipage. Same 17 Ap<sup>r</sup> 1797. The Brig *Leonard*, Cap. Will<sup>m</sup> Hackett has been condemned by the Commercial tribunal of Brest The *John* of Boston. Capt. James Scott, &

the D. of New York Cap. Andrew Foster have been condemned by the Commercial tribunal of Morlaix. Appeals are made from these three condemnations grounded on the want of a *rôle d'équipage*. The Captains of the *Hope* & *Antelope*, whose vessels have been condemned on appeal from the Commercial tribunal of L'orient are coming up here, where I will advise them to try the tribunal of Cassation. The *Juliana* from Norfolk, Capt. Hayward is captured & sent into Havre.

The consular Agent at L'orient advises me, that they are arming & manning every little craft to cruize for our vessels along Shore, as every one they will meet is sure to be condemned for want of a *rôle d'équipage* in the form required by the antiquated private regulations of France. Same. 10<sup>th</sup> May 1797.

The *Sally* of Alexandria, Capt. J<sup>r</sup> Crawdhill, owned by M. Hodgson bound for Rotterdam to Norden, was carried into Morlaix and condemned by the Commercial Tribunal. The *Cincinnatus* of Baltimore, Capt. Martin, from London to Baltimore, was sent into L'orient. Same 28<sup>th</sup> June 1797.

The *Virginia Packet*, Capt. Robert Wells was sent into Teneriffe on the 11<sup>th</sup> June 1797 by the *Buonoparte* privateer, Capt. Michel. The *Virginia Packet* was bound from Norfolk to Cadiz with flour &c — but being turned off from the latter port on account of its Blockade, she proceeded from Madeira, to enquire the State of the Markets, and when off that place she was captured. The french Consul at Teneriffe condemned both vessel and Cargo. John Culnam, Teneriffe 4 July 1797. —

On the 12<sup>th</sup> Sept. was sent in here (by the same privateer *Buonoparte*, that Captured the *Virginia Packet*) the Schooner *Sophia*, Capt. O'Meara, bound from Madeira to Alexandria, & released because they could not find out the least flaw to lay hold of, otherwise the absolute power of the French Consul would have condemned her. Please to observe, that during the process of the *Virginia Packet* this government received preemptory orders not to interfere in Neutral prizes brought in here by French Cruizers. Same 25<sup>th</sup> Sep<sup>r</sup> 1797.

The *Governor Mifflin*, Capt. John Dove, was condemned at Carthage by the French Consul, as prize to the French privateer *Zenadore*, Capt. Poule, because She had no *rôle d'équipage*, on the 8<sup>th</sup> Floreal, 5 year, = 27 April 1797. — Robert Montgomery, Alicante, 13 May 1797.

The following vessels, *Pomona*, John Craft; *Telemachus*, W<sup>m</sup> S. Plummer; *Abigail*, James Atwood; & *Eliza*, Wm. Mugford, sailed from hence on the 18<sup>th</sup> ult. for Salem & Boston, were captured within this Bay, carried into Carthage & Condemned there by the French Consul, under the usual pretext of a defect in the Ship's roll. Same 10 June 1797.

Since my last of the 10<sup>th</sup> June, three more of our Vessels have been captured by French Cruizers, Viz. the *Brothers*, Capt. James Sumner, of Boston, & Captain Samuel Hill of the [Space] are carried into Carthage & Capt John Proud of the Brig *Friendship*, of Providence Rhode Island, brought in here & condemned under the usual pretext of the *Rôle d'équipage*. Same 1 July, 1797.

Since I had the pleasure to hand you my last respects of the 16<sup>th</sup> March, the French have been committing the most vile depredations on our Flag along this Continent. They are now publicly robbing us of our property, capturing & bringing our vessels into the Spanish



ports, where their Consuls in the course of five days condemn Vessels & Cargoes as good & lawful prize to France from no other cause, which they give to the public, than our Ships not carrying rolls of their crew properly authorized by a public Officer of the port she belongs to. There is at this present moment five American prizes that have been brought in here within this month, which I shall note at foot. Three of them are already condemned, & the remainder must Suffer the same fate as well as all others that may fall into their Clutches. Michael Morphy 3 May 1797. —

The list referred, viz. 1797 April 1<sup>st</sup> Ship *Three Brothers* of Portland, Lendal Smith, From Portland, laden with lumber & provisions, bound to Alicante.

April 2, Brig *Dispatch* of Philadelphia, Philip Brum, from Gibraltar, with provisions, for Malaga.

April 29. Ship *Polly* of Salem, William Bradshaw, from Salem, with flour & other provisions, coming to Malaga.

May 1, Schooner *Orrington* of Penobscot, Ambrose Atkins, from Edenton, with Staves coming to Malaga.

Thirteen American vessels, which lay at Malaga, a considerable time blockaded by french privateers, sailed on the 27<sup>th</sup> of May with a favourable wind, of which they availed themselves to get under the protection of two English frigates, & I have now the pleasure to inform you, that only one of the fourteen fell a prey to the Cruizers that night, on account of her being a dull Sailor, & She was brought back the following day. She is called the *Betsy* of Boston, Gideon Snow master, laden with Brandy & Wine for Said Port, Same 3<sup>d</sup> June 1797.

The Brig *George* of Salem, Cap. Rust, from Bourdeaux with wines, bound to Salem, but having to touch here, is just this moment brought in by a French cruizer, on the Supposition, that She was going to Gibraltar, because she was found four leagues off Here — However unquestionable everything may be concerning this Vessel and on the face of the business there appears not the least suspicion against her, I am afraid it will be a very unpleasant affair. Joseph Yznardi, Cadiz, 28 March 1797. She was afterward released. Same 7<sup>th</sup> April 1797.

The ship *Alfred* Capt Asquith, was taken by a french privateer, & retaken by an English, liberated & sent for Cadiz; but the Frenchmen who remained on board of her run her ashore, which has been Clearly proved; but the French Consul of this City in consequence of his absolute power, has condemned her as a prize. Same 15<sup>th</sup> May 1797.

I must inform you, that the French consul here told me that he had given instructions to all french privateers to detain indiscriminately & carry into the next Spanish Port every American vessel they can meet with, & that any one which may come under his jurisdiction Shall be instantly condemned. Same 15 May 1797.

The tribunals continue condemning for want of the *Rôle d'équipage* demanded & we must expect to see every one of the vessels without it declared valid prizes. I am now occupied in making a proper Statement of those brought in here to send to the commissioners in Paris & will likewise transmit it to you. Hurried at this moment to make use of the present opportunity of Addressing you, I will only add, that I have now 19 prizes or Captured Americans to defend, besides 4 more

condemned in the first instance in Spain, & who appeal before the Civil Court of this department, one of which has been condemned on Sunday last. Viz. the *John & James*, Capt. Johnson. I am forced to make all these Captains the necessary advances to carry on their Suits & to Support themselves & their Crews. This begins to be very heavy & Embarrassing. P. F. Dobree, Nantz, 20<sup>th</sup> Sep<sup>r</sup> 1797.

[Enclosure No. 6]

ABSTRACT OF THE CASES OF CAPTURE OF AMERICAN VESSELS BY THE FRENCH, WHEREIN DOCUMENTS HAVE BEEN RECEIVED AT THE DEPARTMENT OF STATE FROM THE INDIVIDUALS AGGRIEVED

The Ship *Hope*, John Rogers, master, belonging to Buchanan & Young of Baltimore, loaded with 99 Hhds, of Tobacco on their account & bound for Falmouth & a market, was captured in Feb<sup>r</sup> 1797. by the French privateer *O'Hardy* & carried into L'Orient, where on the 6<sup>th</sup> March following her cargo was condemned (with payment of freight) by the tribunal of commerce at L'Orient, because a certificate containing the detail of the cargo sworn to by the master of the *Hope* before a Justice of the peace at Baltimore, & another containing evidence of the neutrality of the cargo, granted by a Notary Public, were not accompanied by a certificate recognizing the Justice & the Notary as such: 2<sup>d</sup> because the clearance & manifest were certified by the collector & naval officer "with two oval circles, without the impression of a Seal," & 3<sup>d</sup> because three of the bills of lading expressed the vessels destination to be "for a Market," whilst the remaining one alone expressed it to be for "Falmouth in England." On an appeal, on behalf of the owners, to the tribunal of the Department, the vessel, cargo & freight were all condemned. The vessel & cargo were worth 23,000 dolls

The Snow *Isabella*, Capt. James Helm, belonging to Buchanan & Young of Baltimore, bound from Trinite in Martinique to Baltimore, was captured on the 19<sup>th</sup> March 1797, by a French privateer & carried to Point a Petre in Guadeloupe. The master was taken on board of the privateer & carried to Mariegalante & from thence to Basseterre, where he was turned on Shore without the means of Subsistence & threatened to be put in prison. The vessel & cargo were condemned.

The Schooner *Orrington*, Ambrose Atkins, master, belonging to Thatcher Avery of Penobscot & Richard Flunewell of Castine in the State of Massachusetts, was captured on the 30<sup>th</sup> April 1797. near Malaga in Spain by the French privateers *Le Neuf Thermidor* & *Le Chasseur*, carried into Malaga & condemned there by the French Consul. The loss is Stated to be 20,020 dollars.

The Brigantine *Friendship*, George Hodges, Master, belonging to Ichabod Nicholls & Benjamin Hodges of Salem in the State of Massachusetts, was captured on the 27<sup>th</sup> June 1797, on a Voyage from Calcutta in Bengal to Salem, by a French privateer, called *Le Triumphant*, Capt Anthony Sobo, & carried to Port Liberty. She was condemned as well as her cargo; at Cape Francois, because She was coming from a British port, & because (it was pretended) She had "no certificate respecting her cargo."

The Schooner *Active*, Nathaniel Atkins, master, belonging to James Crawford of Castine in the State of Massachusetts, sailed from Barbadoes on the 10<sup>th</sup> January 1797 with a cargo of Sugar & rum, &

was captured on the next day by the French privateer *Flying Fish* & carried into Guadeloupe, where the Cargo was Condemned. The loss is stated to be 2381 16/100 dolls.

The Brigantine *Philanthropist*, Capt. Hodgdon of Portsmouth, New Hampshire, Sailed from Demerary bound to Altona, with a Cargo of coffee, cotton, & rum, on the 9th May 1797; and on the 5th day afterwards she was captured by the French Privateer *Decius*, Capt. Gabot, & carried to Guadeloupe, where both vessel & Cargo were condemned on the 9th June following.

The Brigantine *Nabby*, John Lawrence, master, belong to Ralph Pomeroy & Thomas Sandford junr of Hartford in the State of Connecticut, bound from Antigua for New York, with a cargo of Sugar rum & hides, belonging partly to the owners of the vessel & partly to Isaac Deforest, a passenger, was captured on the 25th March 1797 by a French privateer called *L'Espiegle*, Cap<sup>t</sup> Debon, who carried her to St<sup>e</sup> Juan in the Island of Puerto Rico. She was condemned at Cape Francois on the 25th April 1797 together with her cargo, in virtue of the decree of the Commission of the French Government at Windward Islands of the 1st February 1797. inasmuch as Demerary (the port of her original destination) had been given up to the English, & in virtue of another decree of the 7th January 1797 (made in consequence of the decree of the Executive Directory of the 2nd July 1796) declaring good prize all neutral vessels bound to or from a British port.

The Danish Brig<sup>e</sup> *Uricke Kock* was chartered in Leghorn in July 1797, by J Brush of New York, for a voyage to be performed by months, to the Island of St<sup>e</sup> Thomas & to New York, with liberty to touch, Stay & trade at any other Islands or places not blockaded. She was accordingly loaded with a valuable cargo, in which Joseph Donaldson of Philadelphia took an interest & embarked with the Same to transact the business. He was instructed to call at Cayenne & Surinam, & sell or depart at his own discretion. He accordingly arrived at Cayenne on the 4th Oct<sup>r</sup> but not finding the market agreeable to his expectation, he determined to depart. Having received permission to do so, and the vessel being cleared & upon the point of Sailing, he was arrested & the Brigantine taken possession of by an armed force; & the officers were Sent on board of a corvette. The papers that appertained to the cargo were then demanded, the officers and crew of the vessel underwent an examination, & a report was made by the Governor to the Agent Jeanet, that the vessel was Danish & the cargo American property, & M<sup>r</sup>. Donaldson a citizen of the United States. On the 17th the Cargo was Condemned on the ground that the Charter party was open to proceed to any port or ports, also on account of her touching at Cayenne, when She had taken her departure for St<sup>e</sup> Thomas. It is estimated that the cargo thus condemned would have produced 50,000 dollars.

The Brig<sup>e</sup> *Six Brothers* belonging to Isaac Needham & John Needham of Salem, Massachusetts, bound from Martinique to Salem in Ballast, was captured on the 29th April 1797. by the French Privateer *Leoradie* & carried to Guadeloupe, where, she was condemned on the 19th May, in pursuance of the decree of the Agents of the Directory there, dated on the 22d January 1797.

The Brig<sup>e</sup> *Nathaniel*, David Young, master belonging to said Young & to Moses Gale of Haverhill, & bound to Jamaica from Norfolk,

with a cargo of Staves, heading, Shingles, Indian-meal & flour, was captured on the 1<sup>st</sup> August 1797 by a French privateer called *Lacassas*, carried into Port de Paix, & on the 12<sup>th</sup> the Captain received the condemnation of the vessel & Cargo without any trial or hearing.

The Brig<sup>g</sup> *Maria*, John Morgan, Master belonging to Richard Dennis of Savannah, was captured on her passage from Jamaica to Savannah by a French privateer, called *La Pearl*, Commanded by Michale Williams & carried into Havannah, where the vessel was Stripped & Sold, & the Cargo also disposed of without the semblance of a trial.

The Ship *Commerce*, Godfrey Wood Master, belonging to Murray & Mumford of New York, bound from Liverpool to Baltimore, was captured on the 27<sup>th</sup> June 1797. by the French privateer *L'Espeigle*, Cap<sup>t</sup> Barre, & Sent to Puerto Rico. She had on board a quantity of Salt belonging to the owners of the Vessel, & Some Crockery & other goods on freight. She was condemned together with her cargo at Cape Francois principally because She was coming from a British port on the Ground of the decree of the Agents at the Cape of the 7<sup>th</sup> Jan<sup>y</sup> 1797. The Condemnation is dated 6 Sep<sup>r</sup> 1797.

The Sloop *Olinda*, William Darnel, Master, from Savannah bound to Jeremie; with lumber, tobacco & live-stock, was captured on the 17<sup>th</sup> June 1797 by a French privateer, called *L'Espiegle*, Cap<sup>n</sup> Barre who ordered her for S<sup>t</sup> Juan in Puerto Rico. They robbed Capt. Darnel of all his sea-cloaths, bedding, books, quadrant, &c. He entreated them to let him remain with his vessel, that he might see her condemned, which they preremptorily refused. On the next day they fell in with an American sloop, on board of which they put Capt Darnel & three of his men, keeping the Mate & two more in the *Olinda*.

The Brig<sup>g</sup> *Harmony*, Samuel Clapp, master, belonging to Francis Becker of New York, from thence to Port au Prince, with a cargo of pipe Staves, hoops & Shingles, was captured on the 21<sup>st</sup> June 1797 by the French privateers *La Vengeance* & *L'Amiable Louise*, & carried to Jean Rabel. She was condemned as well as her cargo, at Cape Francois on the 30<sup>th</sup> June, as being bound to Rebel port of Port au Prince, declared to be in a State of Permanent Siege by the decree of the Commission of the 26<sup>th</sup> Dec<sup>r</sup> 1796. The loss is Stated to be 2864 96/100 dollars.

The Schooner *Industry*, Rufus Low, Master, from S<sup>t</sup> Thomas to S<sup>t</sup> Domingo, was captured on the 7<sup>th</sup> April 1797 by the British frigate *Ceres*, James Newman Esq<sup>r</sup> Commander, who manned her & ordered her for Cape Nickola Mole: but on the next day She was recaptured by a French privateer called the "*Foundling*," Capt. Bras, who sent her to Port de Paix. Being at Cape Francois engaged about the defence of his vessel & cargo, Capt Low received a message from the Commissaries of the place, informing him, that if he did not deliver up to them so much of the cargo as amounted to near 15,000 dollars, & take bills of Exchange for the same on the national Treasury at Paris, they would immediately condemn the Schooner & her cargo; to prevent which he was constrained to take Such bills; but during his absence, the administrator at Port de paix ordered her hatchways to be broken open & her cargo landed, by which means the privateer's people & others were enabled to plunder many things from on board, there being no officer there to prevent it. The loss is stated to be 20,538 72/100 dollars.

The Brig<sup>9</sup> *Electa*, Pardon Almy, master, being bound to Jacmel, was met with by a French privateer of 12 guns on the 22<sup>d</sup> Sep<sup>r</sup> 1797 at night, which ordered Capt Almy to hoist out his boat, which he did & went on board the privateer. His people on going on board were immediately put in Irons & lashed to the foremast; & he was taken into the Cabin, where his papers were overhauled & being found perfectly clear, he was ordered to be put into irons until day-light & then hanged to the fore-yard. A pair of Pistols was also laid before him; but the privateersmen finding their threats of no Effect, they hoisted out his boat on the following morning plundered from the *Electa* various articles of the Cargo & Stores, & also kept the boat.

The Schooner *John* having been carried to the mole of St Nickola<sup>s</sup> for Adjudication was acquitted as well as her cargo on payment of costs. She sailed thence for Leogane to dispose of her Cargo under protection of an armed vessel, but becoming leaky, She was under the necessity of leaving her convoy & bearing away for the mole. Having freed the vessel & discovered the leaks the Captain tacked again & Stood for Leogane. On the 18<sup>th</sup> Oct<sup>r</sup> She was boarded by two brigand barges, which declared her good prize; but an English Ship coming up, they thought fit to abandon her, after they had plundered every thing they could lay their hands upon, such as all the peoples cloaths, the cabin furniture, a trunk of Handkerchiefs &c. The *John* then proceeded for Leogane, & whilst Standing in for the port, She was boarded by a lugger Republican barge, the commander of which took the helm of the *John* & Steered her for Gonaives; but another British vessel coming up, the French began to plunder a second time with tenfold the rage of the first. They burst the Hatches open & plundered linen, handkerchiefs, hags, beef, bread, wine cast &c &c ransacking the Schooner from Stem to Stern, knocking down the Sailors & cutting & Stealing the rigging. In the mean time the British vessel (*The Roman Emperor*) came up & carried the *John* to [illegible]. The Owners of the *Roman Emperor* demanded a Salvage of 1/8 for releasing the *John* from the French, which the Captain consented to. Capt Kearney of the *Roman Emperor* generously refused to receive any part of the Salvage for his Services.

The *Lovely Lass*, William Moore, Master, belonging to John & Joseph Coster, & Chartered to John Brown, Henry Dixen & Warren Ashly, all of Norfolk in Virginia, bound from Port au Prince to Norfolk, was captured on the 6th of June by two barges, which robbed the Captain of all his cloaths & money, beat him most barbarously with a cutlass, & carried him to Gonaives.

The Schooner *Rebecca*, John Hall, master, belonging to Valck & Company of Baltimore, bound to St Thomas's & a market, with an assorted cargo, was captured on the 5<sup>th</sup> Oct<sup>r</sup> 1796 by two French privateers, which sent her to St Martins. The Supercargo was kicked, beat & put in irons by the privateer — men. On the arrival of the Schooner at St Martins, the Supercargo, mate & people were sent on board a prison Ship & all put in Irons: the people were kept at hard labor all day upon Short allowance & at night were kept in irons. From St Martins the Captain & Supercargo were carried to Guadeloupe in a privateer, & during the whole passage exposed on deck to the sun, rain & the sea, which (it being tempestuous weather) constantly covered the vessel. On the 14<sup>th</sup> they arrived at Guadeloupe, where the supercargo was committed to prison. On the 6<sup>th</sup> November Capt. Hall was informed of the condemnation of his vessel

& Cargo. The following is the principle of the condemnation. The Supercargo (formerly a French Citizen) had become a naturalized Citizen of the United States on the 29<sup>th</sup> Aug<sup>t</sup> 1796, & in his certificate of naturalization it was recited, that he had renounced all allegiance & fidelity to all nations to whom he might before that time owe it, & particularly to the French Republic: now by the 12<sup>th</sup> art. of the French ordinance of 21<sup>st</sup> Oct<sup>r</sup> 1744, it is declared that every foreign vessel, on board of which there shall be found a Supercargo factor &c. of an enemy Country, shall be prize. From the Certificate of naturalization it was inferred that the Supercargo was an emigrant & an enemy of the Republic, & therefore that the vessel & cargo were liable to confiscation: nevertheless he was released from prison about the 12<sup>th</sup> Nov<sup>r</sup> following, & permitted to depart. Valck & Co. State their loss to be 36,160 88/100 dollars.

The Sloop *George*, John Grant, master, belonging to Wise & Grant & John Grant of Kennebunk in the State of Massachusetts, from Demarary bound to Kennebunk with a cargo of West Indian produce, was captured on the 19<sup>th</sup> Feb<sup>y</sup> 1797 by the French privateer *L'Hirondelle*, commanded by Capt. Seber, who carried her to Cabo Roxa in the Island of Puerto Rico, where the privateersmen plundered the cargo, took possession of the sloop's paper, for the purpose (as they said) of sending them to S<sup>t</sup> Domingo & turned the master & people from on board, after robbing them of their cloaths. Capt. Grant having nothing whereon himself & his people might subsist, availed himself of the opportunity of the Sailing of an American vessel, & returned home. The loss is Stated to be 9559 58/100 dollars.

The Ship *Fame*, Joseph Brown, master, belonging to Elijah Hall & John McClintock of Portsmouth N. Hampshire, from Grenada for Portsmouth, was captured on the 12<sup>th</sup> March 1797 by the French privateer *Le Pandour* Capt. Garrison, who sent her Curacao, where she was condemned as well as her cargo by the maritime Agent of the French Republic residing there; 1<sup>st</sup> because she was cleared out originally under "*the vague terms of the West Indies*," which by the decree of the French Agents to the Windward Islands of the 1<sup>st</sup> Feb<sup>y</sup> 1797. is a cause of confiscation: & 2<sup>nd</sup>ly in virtue of another decree of the same Agents, dated 7 Jan<sup>y</sup> 1797, subjecting to confiscation all neutral vessels going to or coming from British Ports. The loss is stated to be 15,468 64/100 dolls.

The Ship *Louisa*, Holder Fullman, master, belonging to John Clark of Bath in the State of Massachusetts, from Savannah to the West Indies, with provisions & Lumber, was captured on the 13<sup>th</sup> February 1797 by a French privateer called the "*Foundling*" Cap. Bras, who carried her to Jean Rabel & from thence to Port de Paix. The vessel & Cargo were condemned on the 23<sup>d</sup> of the same month at Cape Francois. The loss is Stated to be 18,216 54/100 dollars.

The Ship *Polly*, William Bradshaw, master, belonging to John Norris of Salem in Massachusetts, with flour, beef, fish & pepper, sailed on the 23<sup>d</sup> Feb<sup>y</sup> 1797 for Vigo in Spain: but the markets being dull there, she proceeded to Lisbon & departed thence for Cadiz. On attempting to enter the last mentioned place, She was turned back by Admiral Jarvis's Fleet, who were then Blockading it.

She now proceeded for Malaga, but on the 16<sup>th</sup> of April she was captured by a Spanish privateer & carried into Ceuta, whence after ten days detention She was dismissed, & continued her voyage for

Malaga. On the 28<sup>th</sup> April, however, in sight of that City & within two & a half leagues from the land, she was captured by two french privateers, Called *Le Chasseur* & *Le Neuf Thermidor*, & carried into Malaga, where she was Condemned on the 14<sup>th</sup> May by the French Consul, because she was without a Rôle d'équipage. The loss is Stated to be upwards of 27,000 [sic] dollars.

[Enclosure No. 7]

COPY OF A LETTER FROM THE MASTERS OF CAPTURED AMERICAN VESSELS AT ST JAGO OF CUBA, DATED 21<sup>st</sup> JUNE 1797

TIMOTHY PICKERING Esquire,  
*Secretary of State of the United States.*

SIR The Subscribers, Masters of American Vessels captured & brought into this port by the armed Vessels of the French Republic think it their duty to lay before you, a Statement of the Situation of the Americans & their Vessels brought in as aforesaid. —

The cruisers of the French Republic bring in all vessels bound to & coming from any port, belonging to their Enemies, & in many instances, Vessels going to or coming from their own or neutral ports. As soon as the vessels arrive in port a general Scene of plunder & depredation takes place, & if it is supposed the vessel will not be condemned the greater exertions are made to rob both vessels & cargoes. No person belonging to the vessels is suffered to do any thing for the preservation of the property, nor is there either person or law to gaurd it from distruction. The Captains, Masters & people in many instances are put on Shore, deprived of their money & every means of getting their bread, by reason of which, Some have been forced by necessity to enter on board the cruizers of the French Republic, others to go on board Spanish vessels for subsistance — & those that remain are supported by the Charity of the few Vessels here that are not prizes.

This is a tax to heavy for Masters of vessels to bear, & the owners are not always here to give their assent.

The Schooner *Little John*, of Philadelphia, Capt. Pease & the *Polly* of Baltimore Cap. Kirby, have supported more than 20 for many weeks. We beg leave to suggest to the Government of the United States the necessity of appointing some person to reside here, as Agent for the following purposes. Viz.

1<sup>st</sup> To take charge of Such American Seamen as have no means of subsistence, & send them home to the United States.

2<sup>nd</sup> To take charge of such Vessels & their cargoes as may be sent in to Port, where the legality of the capture is doubtful.

3<sup>rd</sup> To prevent persons having Certificates of Citizenship of the United States from entering on board armed Vessels of the Bellegerent Powers.

4<sup>th</sup> To prevent American Registers, Sea Letters & papers being used where the property is not Bona fide American, And lastly to assist the Masters, Mates or such as are permitted to come in, in prizes, to take such steps as the nature of the case may require, for claiming the property ascertaining the Value, & defending the same if practicable.

We have reason to believe that Such an appointment would be agreeable to the Governor here, that it is necessary & would be very

useful. The Brig *Commerce* of Charleston bound from Aux Cayes to Charleston was brought into this Port libelled & tried as a prize — & would have been condemned had there not been Some American Gentlemen here who undertook to defend her & Saved her from Condemnation. The Schooner *Dorchester* of Baltimore was in the same predicament & was also acquitted — both vessels stripped & cargoes plundered, & a loss of five or six hundred Dollars accrued to each vessel, which might in part have been Saved had there been any person here authorized by the United States to take charge of the vessels & Cargoes.

Herewith we transmit a list of American Vessels brought in & now lying here — Some of which might doubtless have been saved had there been a Judicious Person authorized to apply for them. Urged by a desire to promote the happiness of the Citizens of the United States, & to relieve them from a perplexed state in which we are now involved, Should any be so unfortunate as to suffer as ourselves we have been induced to make this a representation to you & beg you to accept it with our warmest Wishes for the happiness & prosperity of our beloved Country.

We are very respectfully, your Excellency's Most Obedient & very humble Servants.

St Jago de Cuba  
June 12<sup>th</sup> 1797  
DANIEL GREEN  
JOSEPH WHITE JUN<sup>r</sup>  
JOHN FRANKFORD  
MARSHAL PEASE  
W<sup>m</sup> H. NICHOLS.  
W<sup>m</sup> CLARK  
MICH<sup>l</sup> JOSE

TOBIAS E. STANSBURY.  
NICHOLAS KIRBY.  
CONSTANT BOOTH  
MITCHELL CUTTER  
W<sup>m</sup> DEANE WILSON  
JAMES WOODEND  
JACOB SINGLETON  
THOMAS SMITH  
GARDNER LILLIBRIDGE

[Jan'y to June, 1797]

[Enclosure to Enclosure 7]

[Extracts from — "1797 Marine Lists of American Vessels captured by French Cruizers and brought into St Jago de Cuba"]

Mo.	Day	Reg.	Ves. Name	Where Reg.	Commanded by	Taken by
Jan'y.		Brig	TWO SISTERS..	Boston.....	W <sup>m</sup> Worth.....	
		d <sup>o</sup>	JOHN.....	N. York.....	John Tucker.....	FOGUES
		d <sup>o</sup>	WOOLWICH.....	Philad <sup>a</sup> .....	T. M <sup>r</sup> Cutchin.....	CANONEIR
		Sch.	WILMINGTON..	Charleston.....		
Febr..		d <sup>o</sup>	LIVELY.....	Portland.....		
		Sloop.	POLLY.....	N. York.....		
	18	Brig	AMELIA.....	Sea Brook.....	Sam Williams.....	
		Schr.	MERCURY.....	Charleston.....		
		Brig	VALERIA.....	Newbury Port..		
		Schr.	P O L L Y & M A R I A	Philad <sup>a</sup> .....		
April..		d <sup>o</sup>	BETSY.....			REVENGE
	1	d <sup>o</sup>	NEEDHAM.....	Charleston.....	W <sup>m</sup> Grant.....	TROIS SOEURS
	4	d <sup>o</sup>	DORCHESTER..	Baltimore.....	Constant Booth...	FRANCIS ZERBY
	6	d <sup>o</sup>	INDUSTRY.....	Charleston.....	Misroon.....	FAVOURITE
	9	Brig	NEUTRALITY..	Bath.....	Clark.....	PAULINE
	6	d <sup>o</sup>	COMMERCE.....	Charleston.....	Dani Green.....	SERPAUSONET
	14	d <sup>o</sup>	SEA NYMPH....	Philad <sup>a</sup> .....	Geo. Hastin.....	GEN <sup>l</sup> TOUSAINT
	20	d <sup>o</sup>	H O N E Y or ALONEY	N. York.....	Michel Cutter.....	PAULINE
May..	26	d <sup>o</sup>	BELL.....	Norfolk.....	J. Woodend.....	FAVOURITE
	26	d <sup>o</sup>	CAROLINE.....	Middletown.....	Elihu Cotton.....	TRIUMPHANT
	4	d <sup>o</sup>	JUNO.....	N. York.....	W. H. Nickols.....	RESERVE
	26	Sloop.	POLLY.....	Baltimore.....	W. D. Wilson.....	TROIS SOEURS
April..	13	Schr.	SALLY.....	Norfolk.....	Rob <sup>t</sup> Churn.....	FAVOURITE
May..	28	d <sup>o</sup>	KITTY.....	PHILAD <sup>a</sup> .....	J. Singleton.....	TROIS SOEURS
	28	Brig	AURORA.....	d <sup>o</sup> .....	J. Frankfort.....	PAULINE
May..	29	Sloop.	REBECCA.....	d <sup>o</sup> .....	W <sup>m</sup> Clark.....	SANS PAREIL
June..	9	Ship	ATLANTIC.....	Boston.....	Michel Jose.....	MISSICIPIAN





*Merrien de Paris*

OLD MAP OF WESTERN NORTH ATLANTIC AND CARIBBEAN AREAS.



[Enclosure No. 8]

## EXTRACTS FROM THE LETTERS OF GENERAL CHARLES C. PINCKNEY

M<sup>r</sup> Montgomery, our Consul at Alicant, advises, that the Brig *Telemachus*, Capt. W. S. Plummer, the Ship *Pomona*, Capt. John Craft, the Schooner *Abigail*, Capt James Atwood, all three belonging to Boston, & the Brig<sup>e</sup> *Eliza* Cap<sup>t</sup> Mugford, belonging to Salem took in at Alicant, Cargoes of Wine & Brandies on account of their owners, for Boston, & sailed from Alicant the 18<sup>th</sup> of May; that they had been but a very Short time under way, & *were not yet out of reach of the Cannon of the Castle*, when they were boarded by two launches under Spanish Colours, who immediately took possession of the Vessels & carried then round to Carthagena. M<sup>r</sup> Montgomery seeing this immediately went to Carthagena to know why the Vessels were seized, & to his astonishment he found that the launches belonged to two French privateers, at anchor in that port, & that the launches were sent for the express purpose of taking our Vessels. The launches had not commissions for cruising. M<sup>r</sup> Montgomery says that all the Ships papers were in order except that the role d'equipage was not in the form required by the French. The French Consul has condemned the four vessels with their Cargoes & has inhumanly turned on Shore, without any support, the crews, amounting to 36 persons, to you it is not necessary to make a Single remark on this Transaction. 22<sup>d</sup> June 1797.

The rapacious Activity of the French privateers seems to encrease, & Since my last I have received accounts, that the Ship *Ohio* from New York to Greenock has been captured & carried into Morlaix; & that the Ship *Raven* of Philadelphia, bound to Bourdeaux with 17 french passengers on board, has been taken & sent into l'Orient by the French privateer *Eagle* belonging to Benjamin Callender of Boston — July 21<sup>st</sup> 1797.

Since my last I am informed, that the Ship *Ceres*, Capt. Roswell Roath, of Norwich in Connecticut, was captured on her passage from New London to Liverpool, by the French privateer *Hydra*, Capt. Desmoliers & sent into Rochelle. The Same privateer has also captured, & sent into the Isle of Rhee, the Brig *Sally*, Capt. Eden Wadsworth, belonging to Mess<sup>rs</sup> Adams & Loring of Boston on her passage, from Boston to Hamburg; likewise the American Ship *Bacchus*, of 300 tons, bound to London. — 26 July 1797.

A privateer of Boulogne has sent into Calais an American Vessel, the *William*, Capt. Colin Campbell, of Portland, taken on her passage from Zante to Danzic. The Commercial tribunal of l'Orient has released both the vessel & cargo of the *Raven*, Capt. Reilly. The Same tribunal likewise released the *Ohio*, but condemned her cargo July 30<sup>th</sup> 1797.

The Brig *Charleston* of Charleston, Capt. Reed, bound to Bilbas is taken by a french privateer, & carried into l'Orient. The *Mary* of Boston, Capt. Choates from New York to Havre, is taken & carried into Nantz — Aug<sup>t</sup> 27<sup>th</sup> 1797

The Brig<sup>e</sup> *Mary* of Boston, Capt. Jedediah Southworth, with a Supercargo on board, Son of the owner, Mr. Tilden, sold her cargo at Bourdeaux & took in return some brandies & sailed for Boston, but meeting with head winds as soon as they got out of the Garonne, &

the master being confined to his bed by Sickness, they made the island of Rhé in distress, where the Ship's papers being examined by the Commissary of the marine, who finding She had no rôle D'équipage, agreeably to the French form, but the Seaman's Articles attested by M<sup>r</sup> Fenwick, detained the vessel & sent the papers to the Minister of Marine, to decide whether She is to be considered lawful prize, or to be returned to the Captain. Application has been made to the Minister of Foreign Affairs for his interference with the Minister of Marine. Sep<sup>r</sup> 14<sup>th</sup> 1797.

NOTE.—Other cases of capture are mentioned by Gen<sup>l</sup> Pinckney beside the above; but they were not added because they have been noticed by the Consuls & are contained in the extracts from their Letters, No. 5.

[SDA. Dom. L., Vol. 10.]

[January, 1798]

Communication by Robert Burns, late of the Ship *Ann and Mary*, captured by the Privateer *Vulture*

I was captured on my voyage to London in the above ship about the middle of January last, in lat 49, 25, long. 11, by the privateer ship *Vulture*, captain Penchen, of Bordeaux, in the early part of a six months cruise, and detained on board, with many more, till the cruise was ended, when I was turned ashore at Corunna in Spain, without one single stitch of cloathing, except what I had on. We were suffered to write by neutral vessels to Hamburg, or any other place, but not suffered to go in them.

The following vessels were captured during my stay on board said ship:

One brig, from Cork, laden with salt for the Banks of Newfoundland — burnt.

One brig, from Liverpool, laden with pork and porter, for the Banks of Newfoundland.

One brig, from Jersey, with an assorted cargo — burnt.

One large snow, from Charleston, bound to Hamburg, laden with rice and coffee, recaptured and sent into Lisbon.

One large coppered brig, laden with whale oil and bone, and sea-cow teeth, recaptured and sent into Falmouth.

One brig laden with sugar — was very leaky, and it is supposed, has gone down.

Also the ship *Peggy*, of New-York, with an assorted cargo, and was condemned on account of having naval stores on board.

This ship had a great number of letters on board, that ought to have been destroyed; they have given fatal information for many merchants and underwriters in New-York, as they contained information of goods shipped on account and risk of many merchants in London, Liverpool, Bristol, Cork, Dublin, &c. &c. and some ship-owners, writing for insurance. All vessels so insured in any part of Great Britain, is bona fide British property with the French. In consequence of this information there are three privateers cruising for the ships so loaded, and to sail from New-York to the different ports in Britain. Their cruise is from 16 degrees West of Paris to 35, and lat. 48, N.

~~As~~ I came passenger in the brig *Charlotte*, Captain John Mellory, and am happy that I have it in my power, thus publicly to return my

humble and sincere acknowledgments of gratitude to this gentleman for the many favors that I have received at his hands since my first arrival, in distress, at Lisbon, to the present moment.

ROBERT BURNS.

[LC, "Claypoole's American Daily Advertiser" (Phila.), 10 Sept. 1798.]

To Captain John Barry, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Office 4<sup>th</sup> January 1798 —

Capt JOHN BARRY

SIR 'Till such time as permanent regulations can be matured and adopted by the President respecting the Government of the Navy, you will be pleased to have the Marines and Seamen mustered monthly while in Port and regular muster rolls made out Alphabetically and signed by the persons appointed to muster them, as well as by the Lieutenant of Marines for the Marines, and the acting Lieutenant and yourself for the Seamen —

Colonel Mentges is to muster the Marines and an experienced Sea Capt the Seamen —

You are requested to direct the first Muster to be made as soon as possible, and mention to me a proper person to Muster the Seamen that orders may be taken accordingly —

All requisition for provisions while in port are to be founded on these Musters, Certified by the Lieutenant of Marines the acting Lieu<sup>t</sup> and your own signiture —

The Contractor is to furnish rations conformably to the 7 Section of the act providing a Naval Armament. He will also when an Equivalent in Beef or any other articles for the rations of any day is required grant the same. Regulations of this nature are to be Signed by the Captain who is to Certify that the equivalent is agreeable to the parties.

I am &c

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To John Harris from Secretary of War

[PHILADELPHIA,]

War Office January 10<sup>th</sup> 1798.

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to Lieu<sup>t</sup> M<sup>r</sup>Rea for the Marines on board the Frigate *United States*, John Barry Esquire Commander eighteen Marines Muskets with accoutrements &c complete, one suit of Sergeant's Cloathing and three dozen of flints. —

The Muskets he now has on hand to be returned by him to the store. —

JAMES M<sup>r</sup>HENRY

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

To John Harris from Secretary of War

[PHILADELPHIA,]

War Office January 12<sup>th</sup> 1798

JOHN HARRIS

SIR Please to deliver to Lieut. John Mullooney Twenty five short Cartridges of two pounds each for 24 pounders, for the use of scaling the Guns for the Frigate *United States* — also three sticks of Port fire.

JAMES M<sup>c</sup>HENRY

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

To John Harris from Secretary of War

[PHILADELPHIA,]

War Office January 18<sup>th</sup> 1798

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to Lieut John Mullooney for the Frigate *United States* Twenty five paper Cartridges, one powder-horn, bit and priming wire, one Rammer and sponge, also one worm and Ladle — proper for 24 pounders. — and in addition to the above you will be pleased to supply him with Fifty five pounds of Cannon powder, and Twenty sticks of Port fires. —

JAMES M<sup>c</sup>HENRY. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

To General Jackson from Secretary of War

[PHILADELPHIA,]

War Office 20<sup>th</sup> of Jan<sup>y</sup> 1798

General JACKSON

SIR I have received your letter of the 17<sup>th</sup> inst enclosing a Statement of Articles purchased in Decem<sup>r</sup> last, and also one other containing a great number of Articles required by Captain Nicholson as Cabbin furniture for his Ship

I beg leave to observe that no other furniture can be allowed by the Public to the Commissioned officers on board of Ships of War, than what is absolutely necessary to their immediate accommodation on Board; and whatever articles they may want for their own use and convenience must be provided at their own expence

I have therefore to request that you will provid[e] the following only for their accommodation

Dining Tables

Windsor Chairs

1 accommodation Chair

1 Globe Lamp

2 Copper Stoves. Should any other arrangements be made you will have notice given you of it

I am &c

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

[February 1798]

Extract from letter to Thomas Appleton from Timothy Pickering

## Standing Instructions to Consuls and Vice-Consuls of the United States

"The Consuls and Vice-Consuls of the United States are free to wear the Uniform of their Navy, if they chuse to do so. This is a deep blue coat with buff facings, linen and cuffs, the cuffs slashed and a standing collar, a buff waistcoat (laced or not at the election of the wearer) and buff breeches; yellow buttons with a fowl anchor and black cockades and small swords."

[SDA. Dip. Cor., Inst. to Min., Vol. 4, Feb. 1, 1797–Nov. 30, 1798.]

[6<sup>th</sup> February 1798]

## Statement of Secretary Timothy Pickering

In a conversation last June between the Governor General of Louisiana, the Baron de Carondelet, and Mr. Benoist, the former said — That he had no orders from the Spanish Government to retain the posts from the Americans: but that considering the critical situation of affairs in this country and in Europe, he had no doubt that he should be justified in thus delaying the evacuation of the posts.

Received the above information from Asher Miller Esq. the 6th of February 1798, to whom it was communicated by M<sup>r</sup> Benoist at the Natchez.

T. PICKERING.

[Mass. HS. Pickering Papers, Misc. 1799–1812, p. 21.]

To General H. Jackson, Navy Agent, Boston, from Secretary of War

[PHILADELPHIA,]

War Office 1<sup>st</sup> Mar 1798 —Gen<sup>l</sup> H. JACKSON

SIR: There being more Howertzers in the Navy Yard at Boston than is probable, will be wanted for the *Constitution*, you will be pleased to enquire of Captain Nicholson the number he may wish to have for his Ship and the remainder I wish to have transported immediately to Philadelphia to the address of Tench Francis Esquire

I beg the favour of Capt Nicholson's determination by post

I am &c

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

[1 March, 1798]

Data furnished by Richard O'Brien, United States Consul, Algiers

Marine force of Algiers March the 1<sup>st</sup> 1798 —

	Guns
One Ship of .....	36
One do. of .....	24
One do. of .....	22
Xebeck of .....	24
Xebeck of .....	24
Xebeck of .....	22
Xebeck of .....	12
Xebeck of .....	12
Cutter of .....	18
Schooner of .....	12
Xebeck building of .....	20
Xebeck do. of .....	12
Marine force guns .....	238
60 Gun boats.	

Y<sup>rs</sup>

OB [O'BRIEN]

[SDA. Algiers, Vol. 3, 1798.]

To Captain Samuel Nicholson, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

Capt S. NICHOLSON

War Office 14 March 1798 —

SIR I have the honour to transmit herewith the Letters of notification to the Commissioned Officers for the *Constitution* which I beg you will be so obliging as to transmit to those Gent[lemen] for whom they are directed. I am in daily expectation that the War-rant Officers will be appointed, every preparation is going forward here to get the Naval business in a train of actual Service the regulation for the gen<sup>l</sup> discipline of the Navy is ready to be printed and I expect the commissions will be shortly issued to the Officers appointed at which time their rank in the Navy will be established. Congress past the app yes<sup>r</sup>

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Lieutenant of Marines, Frigate *Constellation*, from Secretary of War,  
16 March 1798

To Lieut Marines Frig. *Constellation*

[PHILADELPHIA,]

LIEUTENANT OF MARINES,  
*Frigate Constellation*

To

SIR, The President of the United States, by & with the Advice & Consent of the Senate, having appointed you a Lieutenant of Marines in the Frigate *Constellation*, you will be pleased to commence the Recruit the Complement of Marines allowed by Law to the s<sup>d</sup> Ship, to wit, Three Serjeants, three corporals, One Drum & Fife, & fifty Privates. — In the Performance of this duty, you will pay particular Attention to the rules and Regulations herein after mentioned.



1st. It being essential that those who enlist, should feel an Inclination for that kind of Life, no indirect Methods are allowable to inveigle Men into the Service of the United States; it is forbidden therefore to inlist any Individual while in a State of Intoxication, or to have him sworn untill twenty four hours after he shall have signed the Inlistment. —

2. No Individual is to be inlisted (Musicians excepted) who is not five feet and six Inches high without Shoes, and above Eighteen and under Forty Years of Age. He must be healthy robust and sound in his Limbs and Body, and of a Make to support the Fatigues and acquire the honors of a Soldier. —

3. No Negro, Mulatto or Indian to be enlisted nor any Description of Men except Natives of fair Conduct or Foreigners of unequivocal Characters for Sobriety & Fidelity. (Any recruiting Officer inlisting a vagrant transient Person, who shall desert, shall reimburse out of his Pay the Loss sustained by such Desertion. —

4. The Recruits are to be inlisted to serve the Term of one Year, unless sooner discharged. The Monthly Pay allowed them will be as follows viz<sup>t</sup> — Serjeants, Nine Dollars, Corporals, eight Dollars; Musicians Seven Dollars; Privates, six Dollars, two Dollars whereof, may be advanced them, at the Time of their being sworn. To reimburse the Cost of attesting the Recruits, and other necessary Expences, One Dollar will be allowed for every Recruit duly enlisted. —

5. Each Recruits before he is sworn, is to have distinctly read to him the Rules and Articles of the Navy against Mutiny and Desertion and such Acts of Congress as concern his Pay, Duties and the public Engagement. —

The Oath shall be as follows. to wit. —

I ——— do solemnly swear to bear true Allegiance to the United States of America, and to serve them faithfully against all their Enemies or Opposers whomsoever, and to obey the orders of the President of the United States of America, and the orders of the officers appointed over me according to the Articles of the Navy. —

6. No Recruit is to be permitted to keep in his possession after being sworn any of his Clothing, except that which he may receive from the Public. The Officer is therefore to oblige him to dispose of his private Clothing immediately, or to take the Keeping of it upon himself till an opportunity offer to sell it for account of the Recruit. —

7. No Recruit is to be allowed to absent himself from his Quarters, till such Time as he has proved himself faithful without a Corporal or trusty Private to attend him. —

8. Each Recruit after being sworn, is to be attached to a Squad to consist of a Number sufficient to form a Mess, who must live together and be under the Inspection and Command of a Serjeant or Corporal. —

9. The Commanding Officer of a recruiting Party, shall make out on every Saturday, a Return of the Number of Recruits under his Command and of the Number joined, and of the Incidents that have taken place and the Arms, Accoutrements and Clothing, delivered them during the Course of the Week and transmit the same to the Secretary for the Department of War, and a Duplicate to the Commander of the Ship, to which he belongs. —

10. He shall keep a recruiting Book, in which He shall record. —

The Name, Trade and Description of each Recruit.

A Copy of the Oath taken before the Magistrate signed by the Magistrate and Recruit. —

The Money paid to every Recruit. —

The Articles of Clothing Arms & Accoutrements delivered each Recruit. —

11. The Commanding Officer at each Rendezvous will sign Returns for the Issues of all Rations and other necessary Supplies for the Recruits, and on the Saturday of each Week, the Returns made in the Week are to be taken up, and one general Return made out and signed for the Rations received in the course of the Week noticing the daily Issues. —

12. On the Desertion of a Recruit, besides the usual Exertions and Means to be employed on such Occasions, the recruiting Officer will transmit as soon as possible a description of the Deserter to the Secretary of War, and will cause all Descriptions of Deserters that may be sent to him to be entered in a Book kept for that Purpose, and will use his Endeavours to discover and apprehend all Deserters. —

Given at the War Office of the United States the sixteenth day of March 1798, and in the twenty second Year of the Independence of the said States. —

[NDA. OSW, Vol. 1.]

To Captain Thomas Truxtun, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Office 16<sup>th</sup> March, 1798

Cap<sup>t</sup> THO<sup>s</sup> TRUXTON

SIR, I have it in command from the President of the United States, to direct you to repair with all due Speed on board the Ship *Constellation* lying at Baltimore. —

It is required that no Time be lost in carrying the Ship into deep Water, taking on board her Cannon, Amunition, Water Provisions & Stores of every kind — completing what Work is yet to be done, shipping her Complement of Seaman & Marines, and preparing her in every Respect for Sea.

The Lieutenant of Marines will immediately proceed to inlist the Marines, agreeably to the "Act for providing a Naval Armament" passed the first of July 1797. You will be pleased to transmit to him the annexed Regulations for that Purpose. —

You will herewith receive Commiss<sup>ns</sup> and Warrants for the following Officers. Viz<sup>t</sup> —

John Rogers, of Maryland, Second Lieutenant.

William Cooper, of Virginia, Third ditto

Philip Edwards, of Maryland, Lieutenant of Marines.

George Balfour, of Virginia, Surgeon.

Isaac Henry, of Pennsylvania, Surgeon's Mate.

Edward Hansford, of Virginia, Sailing Master.

Isaac Garretson, of Maryland, Purser.

Philemon Charles Wederstranett, Maryland, Midshipman

Jabez Bowen, Junior, Rhode Island, ditto

Henry Van Dyke Delaware d<sup>o</sup>

John Dent Maryland d<sup>o</sup>

John Marshal Clajett d<sup>o</sup>

You will be pleased to signify to the Warrant Officers, that their being appointed at this Time, is not to affect the Question of relative Rank as it respects Midshipmen, for the other Vessels not yet appointed. —

You will cause such of the Sea Officers as may appear best calculated for the Business, to open Houses of Rendezvous in proper Places & to exert Themselves to engage One hundred & thirty able Seamen at the following Terms of Service and Rules of Wages — The Seamen to engage for twelve Months unless sooner discharged. The pay of the able Seamen to be fifteen Dollars per Month and Three Dollars Bounty — The Ordinary Seamen, Ten Dollars per Month and two Dollars, Bounty. —

You will instruct the Officers at each Rendezvous to engage none other than healthy robust and well organized Men, and to reject those who may be scorbutic or consumptively affected.

You will direct the Surgeon, or a Mate to attend at those Places to examine each Sailor and Marine, and to certify to the recruiting Officer, that they are well organized, healthy, robust, and free from scorbutic and consumptive Affections, before he engages Them or pays them any Bounty. If Bounty or Wages is paid to any without such a Certificate, it will be at the risk of the Officer paying it.

The Officer of each Rendezvous shall make out on every Saturday, a Return of the Number of Seamen recruited within the Week, stating therein the Number delivered over to the Ship, and transmit the same to the Captain, and a Duplicate to the Secretary for the Department of War. —

You will also transmit to the Secretary for the Department of War, a weekly return, exhibiting the Number of Marines, able and ordinary Seamen on board the Ship, and the Incidents that have taken place respecting Them or any of them, as also the Progress that has been made for preparing her for sea. —

The commanding Officer at each Rendezvous, on the desertion of a Seaman, besides the usual Exertions and Means to be employed on such Occasions to recover and apprehend him will transmit as soon as possible, a Description of him to the Secretary of War. —

Having selected proper Characters for the remaining Midshipman, Gunner, Carpenter and Sailmaker, you will return their Names that they may be laid before the President. —

With respect to the Pay of the Marines and Seamen. The Purser, 'till ordered otherwise, will act as Paymaster to the Officers and Crew, and will receive from Time to time, Money for that purpose. —

Marines are to be advanced Two Dollars out of their first Month's Pay. The Advance to Seamen if they can not be obtained without it, may be One Month's Pay, besides the Bounty.

As soon as you give Notice of the Places of Rendezvous and the Arrival of the Officers who will have Charge of them, a sufficient Sum will be remitted to each, to commence the recruiting Service. The Officers receiving this Money will be held accountable for it's faithful Application, & must produce at the Accountant's Office, proper vouchers for it's Expenditure. —

The Names of the Marines and Seamen, are to be entered alphabetically, in the Muster and Pay Rolls, and the Men to be mustered while in Port by a qualified Person, whose Certificate as well as your's is to be attached to the Muster roll.

It is the President's express Orders, that you employ the most vigorous Exertions, to accomplish these several Objects and to put your Ship as speedily as possible in a situation to sail at the shortest Notice. —

I shall make a Requisition on the Secretary of the Treasury, for provisioning the Crew while in port, independent of the Provisions destined for the Voyage or Cruize. —

Monthly Pay of the Petty Officers, Seamen, Ordinary Seamen and Marines. —

*Frigate Constellation*

Altered since—See page 10.	8 Midshipmen at.....	19 D <sup>rs</sup> Each.....	152
	2 Master's Mates at.....	20 D <sup>rs</sup> each.....	40
	1 Captain's Clerk at.....	25 d <sup>o</sup> .....	25
	2 Boatswain's Mates.....	18 d <sup>o</sup> .....	36
	1 Cockswain.....	17 d <sup>o</sup> .....	17
	2 Gunner's Mates.....	18 d <sup>o</sup> .....	36
	1 Yeoman of the Gunroom.....	18 d <sup>o</sup> .....	18
	9 Quarter Gunners.....	17 d <sup>o</sup> .....	153
	2 Carpenter's Mates.....	18 d <sup>o</sup> .....	36
	1 Armourer.....	18 d <sup>o</sup> .....	18
	1 Steward.....	18 d <sup>o</sup> .....	18
	1 Cooper.....	18 d <sup>o</sup> .....	18
	1 Master at Arms.....	18 d <sup>o</sup> .....	18
	1 Sail Maker's Mate.....	17 d <sup>o</sup> .....	17
	4 Quarter Masters.....	17 d <sup>o</sup> .....	68
	1 Cook.....	18 d <sup>o</sup> .....	18
	126 Seamen & Midshipmen @.....	15 d <sup>o</sup> .....	1890
	90 Ordinary Seamen.....	10 d <sup>o</sup> .....	900
	2 Serjeants.....	9 d <sup>o</sup> .....	18
	2 Corporals.....	8 each.....	16
	1 Drum.....	7 d <sup>o</sup> .....	7
	1 Fife.....	7 d <sup>o</sup> .....	7
	40 Privates.....	6 d <sup>o</sup> .....	240

Dollars 3666 p. Month

WAR OFFICE, 17<sup>th</sup> March, 1798

[NOTE.—Page 10 contains the list coming in the letter book between 7 May 1798 and 18 April 1798, headed, "Monthly Pay of Petty Officers, Seamen, Ordinary Seamen, and Marines on board the Frigates of the United States."] [NDA. OSW, Vol. 1.]

To Governor John Jay from Secretary of War

[PHILADELPHIA,]

War Office 19 March 1798 —

His Excellency JOHN JAY

SIR The Iron 24 pound Cannon intended for the Frigate *United States* being unfit for service in their present State, and it being disirable to have their place Supplied as early as possible, I am instructed by the Presid<sup>t</sup> to submit to your Excellency a request for the loan of thirty of the Iron 24 pound Cannon which it is understood the State of New York have procured from a Foundry in Connecticut and further to engage to return in a short time, should this request be complied with, an equal number of new Cannon of the same Caliber and goodness.

Permit me to expect an answer to this Letter as early as it may suit with your convenience, that measures may be taken to have the Cannon if obtained inspected and Carriages prepared for them

With great respect I have the honour to be your Excellency &c  
[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

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To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]  
War Office 22<sup>nd</sup> March 1798

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to Sam<sup>l</sup> Hodgdon Esquire to be immediately transported to the Frigate *Constellation*, Ninety Barrels of Cannon, Eight Barrels of Musket, and two Barrels of Pistol Powder. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

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To Joshua Humphreys, Naval Constructor, from Secretary of War

[PHILADELPHIA,]  
War Office 23 Mar. 1798

M<sup>r</sup> J. HUMPHREYS

SIR Captain John Barry of the Frigate *United States*, reports that the seams in the Decks topsides and other parts of that ship are much opened & the oakum loosened, and those parts will require caulking previously to her leaving the Delaware

I request therefore that you would be pleased to proceed on board said ship and take a careful survey of the Defects complained of, and endeavour to form an Estimate of the probable expence attending such repairs, which I beg you will transmit to this office without loss of time

I am &c

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

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To Joshua Humphreys from Secretary of War

[PHILADELPHIA,]  
War Office 26<sup>th</sup> March 1798

M<sup>r</sup> JOSHUA HUMPHREYS

SIR Your Letter of the 24<sup>th</sup> has been received. You will be pleas'd to take order to have the defects on board the Frigate *United States*, put into complete repair, in as short a time, and with as little expense as possible —

I am Sir

Yr &c —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

[27 March 1798]

**An act for an additional appropriation to provide and support a naval armament**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be and there hereby are appropriated a further sum, not exceeding one hundred and fifteen thousand eight hundred and thirty-three dollars, to complete and equip for sea, with all convenient speed, the frigates, the *United States*, the *Constitution* and the *Constellation*; and a further sum, not exceeding two hundred and sixteen thousand six hundred and seventy-nine dollars for the pay and subsistence, for the term of one year, of the officers and crews which are, or shall be engaged in the service of the United States on board the said frigates, in addition to the sums heretofore appropriated for those purposes, respectively, remaining unexpended; also, a sum, not exceeding sixty thousand dollars, to defray the wear, losses, expenditures of ammunition, and other current and contingent expenses of the naval armament; also a sum not exceeding two thousand two hundred dollars, to defray the salaries of persons having charge of the navy yards at Norfolk, New York, and Portsmouth; and for the rents of the same.

SEC. 2. *And be it further enacted*, That the sums hereby appropriated, shall be paid and discharged out of the surplus revenue and income of the current year, not before appropriated.

*Approved, March 27, 1798.*

[Statute II, page 547.]

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To Captain Henry Geddes from Secretary of State

[PHILADELPHIA,]

29 March 1798

Instructions to Capt. Henry Geddes, Master of the Brigantine *Sophia* belonging to the United States of America.

The President of the United States, desirous of conveying, in the most direct and speedy manner, a letter of instructions to M<sup>r</sup> Pinckney, M<sup>r</sup> Marshall and M<sup>r</sup> Gerry, the Envoys Extraordinary and Ministers Plenipotentiary from the United States to the French Republic, has directed the Brigantine *Sophia* to be prepared for that purpose. You are therefore to proceed with the said Brigantine directly to Havre de Grace in France, there land M<sup>r</sup> Clement Humphreys, who is charged with the said letter, that he may proceed to Paris and deliver it to our Envoys: and wait his return.

If the wind should be adverse, and you apprehend any considerable delay by beating up the channel to Havre, then you are to put into any convenient port in France, and proceed as before directed. If the Envoys or either of them be there, you will obey the orders which they or he shall send you: or, in want of their orders, proceed as M<sup>r</sup> Humphreys shall direct.

If on your arrival at any port in France you shall find that all our Envoys shall have left France, then also you will observe the orders of M<sup>r</sup> Humphreys about your further proceeding.

In case of any accident to M<sup>r</sup> Humphreys, you are to execute the orders with which he is charged, relative to the delivery of the letter to our envoys or either of them, and to the collecting of American Seaman, at the port or ports in France, at which you shall touch with the *Sophia*.

Given under my hand and the Seal of the Department of State of the United States of America, the 29<sup>th</sup> day of March 1798.

TIMOTHY PICKERING  
Secretary of State —

[SDA. Dom. L., Vol. 10.]

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To M<sup>r</sup> Clement Humphreys, bearer of dispatches to France, from Secretary of State

#### INSTRUCTIONS TO M. CLEMENT HUMPHREYS—OF PHILADELPHIA

SIR, The President of the United States having directed that a special messenger should be engaged to carry a letter to the Envoys from the United States to the French Republic, you have been selected for that service.

You are to embark forthwith in the United States brigantine *Sophia*, whereof Captain Henry Geddes is master. The *Sophia* is to sail directly to Havre De Grace, whence you will proceed immediately to Paris, with the letter to our Envoys: and take their orders for your further proceedings and return.

But it may happen that all our Envoys will have left France before you arrive in any of its ports: In this case, having well ascertained the fact, you are immediately to return to the United States. If, however, either of the Envoys should remain in France you will proceed and deliver the letter to him, and receive his orders relative to your further proceeding and your return.

Into whatever French port you shall fall, if there be an American consul there, request his Assistance in procuring a passport for Paris, and any information which circumstances may require.

Given under my hand, and the seal of the department of State, at Philadelphia, the 29<sup>th</sup> day of March, 1798. —

TIMOTHY PICKERING,  
Secretary of State.

[SDA. Dom. L., Vol. 10.]

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[29 March 1798]

#### Instructions to M<sup>r</sup> Clement Humphreys of Philadelphia

SIR The direct object of your voyage to France is to carry a letter to the Envoys from the United States of America to the French Republic, agreeably to the orders herewith delivered to you. If their answer should not require your immediate return, the President directs me to call your attention to another object interesting to humanity and to your country: I mean the relief of American Seamen in the ports of France. With this view, you will show these instructions to our Envoys, or either of them whom you shall find in France. If it shall be practicable to execute them, then procure a passport to visit the several ports of France for that purpose. The Consul

General, Skipwith, or his Chancellor Major Mountflorencia, can aid you in this and in whatever relates to the execution of these instructions. In this case you will first return to the port where you shall leave the *Sophia*, and commit your dispatches to Captain Geddes, to bring to America. And altho' these dispatches may require his immediate return, yet he may take on board all the American Seamen whom he may find in such port: and he should seek for them as soon as he arrives. If your orders from the Envoys should not require the immediate return of the *Sophia*, she may proceed from port to port, receiving as many American seamen on board as she can conveniently bring; and then return home.

We have received repeated information of many of our seamen being turned ashore from our vessels captured and carried into the ports of France, and there suffering for want of the means of Subsistence, or as an alternative, to save themselves from starving entering on board French privateers. So many of these citizens as you shall find destitute of the means of returning home, are to be received on board the *Sophia*; and for want of room in her (should that happen) you will otherwise afford all the relief in your power to such distressed fellow-citizens, providing passages for them in any vessels bound to the United States, or elsewhere from whence you judge their return to their Country will be effected with more ease than from France: or chartering or purchasing one or more vessel for the purpose of bringing them home. — In this business you will address yourself to the consuls of the United States and their agents in the ports of France: of their names and places of residence a list is herewith delivered you. We have advice from Some of the consuls, by which it appears that they have very humanely afforded their friendly aid and pecuniary assistance to numbers of American Seamen, and to the masters and supercargoes of captured American vessels, in the prosecution of their claims. You will inform these and other Consuls who have thus kindly advanced their monies, that they will be reimbursed by the United States; and that a bill is now under consideration in Congress to make an appropriation of money for that purpose. Such of them as shall have the opportunity of furnishing you with their accounts for such disbursements had better do it, as it may facilitate their reimbursement. If they think proper, they may deliver you their vouchers (for which you will give them receipts) for their expenditures for the object here referred to, and advise you in what way they choose to receive repayments. It is probable, however, that in many cases the American owners of captured vessels and cargoes, or their agents in France will have made due provision for refunding to the Consuls the sums they have advanced in the prosecution of their claims; and these, of course, will not require the aid of the provision now making by the United States.

In expectation that you will collect a considerable number of American Seamen in French ports, I have directed an extra quantity of provisions to be put on board the *Sophia*: and if these should be insufficient, you will procure what shall be found requisite in France.

Given under my hand and the Seal of the Department of State, at Philadelphia, the 29<sup>th</sup> day of March 1798

TIMOTHY PICKERING  
Secretary of State



To Captain John Barry, U. S. Navy, from the Secretary of War

[PHILADELPHIA,]

War Office 31 March, 1798.

Cap<sup>t</sup> BARRY Commander of the Frigate, *United States*.

SIR It is represented, that the Frigate *United States* incommodes in her present Station the Merchant Vessels in coming in and going out and that One equally good at the Bight opposite the Rope Walks where the Channel is wider, would occasion less risk and Embarrassment. —

If on Examination, that or any other Station can be found commodious and proper for the Frigate to lay in, I have to request that She be removed to such Place as early as convenient, but should her Removal from her present Station, be attended with Risk or Inconvenience, you will be pleased to report the same without delay. —

[NDA. OSW, Vol. 1.]

To Lieutenant John Rodgers, U. S. Navy, from Captain Thomas Truxtun, U. S. Navy

UNITED STATES SHIP *Constellation*,  
April — 1798.

SIR You are hereby directed to open a Rendezvous at the house of M<sup>r</sup> Cloney, at Fells Point in the City of Baltimore, For the purpose of entering One hundred and thirty able Seamen, and Ninety ordinary Seamen, to Serve in the Navy of the United States, and for the present, on board the Ship under my command.

These men must be engaged for the term of Twelve calendar months, unless sooner discharged by order of the President of the United States.

The pay of the able Seamen, is to be Fifteen Dollars per month, and the ordinary Seamen ten dollars, and each class may have two months pay in advance on giving good and Sufficient Security, for their repairing on board, when order'd with their Clothes and bedding — or on their repairing on board and their names being returned to you that they are actually on board with their effects —

None but able bodied, robust healthy men are to be entered, and the Surgeon or his Mate, must Certify that they are So: as well as of their being free from Scorbutic or Consumptive affections if any are entered and paid their advance without the Officer So entering them, producing Certificates as aforesaid, it will be at his risk & Charge — A return must be made to me without fail every Saturday evening of the number of men you have enter'd, and Such as have been delivered over to the Ship, and a duplicate return sent by post to the Secretary of War.

Shou'd any of these Seamen or others attempt to run away after having Signed the Articles received the advance & taken the Oath, you must immediately give information to the Sec<sup>y</sup> of War, describe the man minutely, using at the Same time all your endeavours to apprehend and lodge in jail Such runaway untill Further orders from me — M<sup>r</sup> Garretson the Purser is to act as Pay Master to the Ship. he will consequently make a requisition and provide money Sufficient to accomplish all the business with which you are charged, and you

must produce to him the Vouchers he shall require for the Settlement of his accounts.

The Agents Mess<sup>rs</sup> Sam<sup>l</sup> & Ja<sup>s</sup> Sterett will provide Victuals on board the Pilot Boat for the men you enter (say 1½ lbs. of beef & 1 lb. of Bread with ½ a pint of Rum for each man untill he joins the Ship) and whenever you can collect ten or more men with their clothes, you are to Dispatch the boat under the Charge of a Midshipman or Some other trusty Person. —

Every expence attending the rendezvous for fire, candle, Liquor, house rent, &c &c, must not exceed one dollar for every man actually entered & received on board — you must come to a clear understanding with M<sup>r</sup> Cloney on this subject, before you open the rendezvous, a reasonable allowance will be made you for music to indulge and humour the Johns in a farewell frolic;

In order to encourage the entering of Seamen, you may agree to pay to M<sup>r</sup> Cloney, one dollar for every Seaman he procures that is healthy and able to do his duty like a man, which Sum is to be paid him, when our Complement is complete, and the Ship ready to Sail from the Chesapeake Bay — it is absolutely necessary notwithstanding the Certificate required of the Surgeon and his Mates, that you pay particular attention in examining the men you enter, So that none but hale hearty men compose the Crew of this Ship, and the more real natives you can procure the better.

I understand that Cap<sup>t</sup> Moore is well acquainted with the attending of Rendezvous. You must Call on M<sup>r</sup> Sterett, and let him make some agreement with him, to aid you in this business. the Compensation must in all cases be so much p man, but you must take care, that it is not paid to two people, for procuring one man.

The form which you and every officer & man must take is as follows to wit —

I, AB. ——— do Solemnly Swear to bear true allegiance to the United States of America and to Serve them faithfully and honestly against all their enemies or opposers Whomsoever, and to observe and obey the orders of the President of the United States of America and the orders of all the officers appointed over me according to the Articles of War, and that I will Support the Constitution of the United States So help me God. —

Sworn before me this day of — —

You must be very particular and Oblige every man that offers, of the description I have mentioned to take the Oath as well as to sign the articles; before he receives a Single Cent, or that you attempt to Send him on board. —

You must be very civil and good humour'd with every body, and endeavour to attach them to the Service, by pointing out the rations &c &c allowed.

You will make every exertion in your power to complete the number of men required, in as short a time as possible. —

This service, will require your devoting your whole time & attention to it, in fact you must be at the rendezvous night and day, untill the object of your mission is completed. —

I am Sir with the greatest respect —

Your ob<sup>t</sup> Serv<sup>t</sup>

THOMAS TRUXTUN.

N. B. You must not Suffer any of our marines, to visit the rendezvous, except When they are Collecting to go on board; for various good reasons. —

The more men you Can enter and Send down, without the aid of Mess<sup>rs</sup> Moore & Cloney, the better as it will be a Saving of So much to the United States.

T. T.

Lieu<sup>t</sup> JOHN RODGERS.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Captain Richard Dale, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Departm<sup>t</sup> 3<sup>d</sup> Ap<sup>l</sup> 1798.

Cap<sup>t</sup> DALE.

SIR, I have to inform you, that the Purchase of the Ship *Ganges* is now effected, & that she will be manned & destined for the Purposes intended by the Law, providing the additional Naval Armament as speedily as possible — The President continues to give you a Preference for the Command of this Ship — & I cannot, but permit my self to believe, you will not decline it.

[NDA. OSW, Vol. 1]

To Samuel and Joseph Sterrett, Navy Agents, Baltimore, from Secretary of War

[PHILADELPHIA,]

War Office 4<sup>th</sup> April 1798

Mess<sup>rs</sup> SAM<sup>l</sup> & JOSEPH STERRETT

GENT<sup>rs</sup> Captain Staats Morris commanding the Fort at Whetstone point near Baltimore, has been directed to deliver to you, Twelve — 12 pounders — I request that you will be pleas'd to have them Shipp'd immediately to Philadelphia, addressed to Captain John Barry, commanding the Frigate *United States*. —

I am Gent<sup>rs</sup>, w<sup>th</sup> great respect

[NDA, LB. Correspondence when Navy was under War Department, 1790-1798.]

[9 April, 1798]

To Hon. Samuel Sewall from Secretary of War James McHenry

WAR DEPARTMENT, April 9th, 1798.

SIR,

I DO myself the honor to inclose you a detailed view of the provisional measures, it appears to me proper, should, in the present conjuncture of the affairs of this country, be immediately taken, to protect our commerce, and secure and defend our territory and sovereignty.

I have the honor to be,

With great respect,

Your most obedient servant,

JAMES M'HENRY.

Hon. SAMUEL SEWALL, }  
Chairman, &c. &c. }

[Enclosure]

WAR DEPARTMENT, *9th April, 1798.*

What measures are necessary and proper to be adopted by Congress, in the present conjuncture, to preserve character abroad, esteem for the government at home, safety to our sea-property, and protection to our territory and sovereignty?

France derives several important advantages from the system she is pursuing towards the United States. Besides the sweets of plunder, obtained by her privateers, she keeps in them, a nursery of seamen, to be drawn upon, in all conjunctures, by her navy. She unfits, by the same means, the United States for energetic measures, and thereby prepares us, for the last degree of humiliation and subjection.

To forbear under such circumstances, from taking naval and military measures, to secure our trade, defend our territory in case of invasion, and prevent or suppress domestic insurrection, would be, to offer up the United States a certain prey to France, and exhibit to the world a sad spectacle of national degradation and imbecility.

The United States possess an extensive trade, heavy expences must be submitted to for its protection. The United States border upon the provinces of great and powerful kingdoms, heavy expences must be incurred, that we may be at all times in a situation to assert our rights to our own territory. The measures which appear indispensably necessary for Congress to take, are as follows, viz.

1st. An increase of the naval force, to serve as convoys, protect our fisheries, coast and harbours. 2d. An augmentation of the present military establishment. 3d. Arrangements which in case of emergency, will give to the President, the prompt command of a further and efficacious military force. 4th. The more complete defence of our principal ports by fortifications. 5th. A supply of ordnance, small arms, powder, salt-petre, copper and military stores. 6th. Additional revenue.

To answer the 1st. Congress ought to provide for the building or purchasing, equipping, &c. of 2 vessels of 22 guns, 8 of 20 guns, and ten of 16 guns, in addition to the three frigates.

Congress ought also to vest the President with authority, in case of open rupture, to provide, equip, and by such means as he may judge best, a number of ships of the line, not exceeding six, or an equivalent force in frigates.

The first may be either built or purchased in the United States. The latter may, perhaps, be obtained in Europe; for which purpose the law should use general expressions, admitting this mode of procuring them.

To build the twenty vessels, equip, man, and provision them for twelve months, will require, as per estimate, dolls. 1,941,131

It may, under this head, be also advisable, to make a provision for six gallies, carrying each one or two 24 pounders. This will require for gallies carrying one 24 pounder each, as per estimate, dolls. 68,826

2d. An augmentation of the present military establishment. This ought to consist of one regiment of infantry—1 regiment of artillery, and 1 regiment of cavalry. The artillery is considered as indispensable, and the cavalry may be highly useful in the southern states. These will require, agreeably to the estimate, dolls. 517,998

3. An arrangement which in case of emergency, will give to the President, the prompt command of a further and efficacious military force.

This ought to be, a provisional army of 20,000 men, and may be organized agreeable to the principles of a bill proposed in the Senate during the late extraordinary session, to which I beg leave to refer.

4. The more complete defence of our principal ports by fortifications.

This may require, 100,000 of dollars, but should the naval force be rendered respectable, much of this sum may be saved.

5. A supply of cannon, small arms, salt petre, copper, &c. which, severally, will require—

For cannon, as per estimate, dolls. 308,900

For small arms, say 50,000 stands, at 12 dolls. 600,000

For powder, salt petre, copper for sheathing, &c. 200,000

In framing the law, to furnish our magazines with ordnance, it will be proper to employ such expressions, as will enable the President to procure brass cannon, mortars, &c. with the necessary quantities of ball, shells, &c. These have not been specified in the estimate; but the sum may, perhaps, be sufficient to comprehend them.

To render the regiment of infantry as useful as possible, it is proposed, that the men should be enlisted to act in the double capacity of marines and infantry. By an arrangement of this kind, and having the men stationed at the principal sea ports, they will be always ready to be put on board such vessels as want them, and when not so wanted, will serve to defend the coast, work upon the fortifications, or in dock yards, and guard the public property from thefts or embezzlement.

All which is respectfully submitted.

JAMES MCHENRY.

HON. SAM. SEWALL, *chairman of the committee*  
for the protection of commerce, and the defence  
of the country.

[LC, "Claypoole's American Daily Advertiser" (Phila.), 20 April, 1798.]

To Samuel Hodgdon, indendant of military stores, from Secretary of War

[PHILADELPHIA,]

War Office, April 9<sup>th</sup> 1798

SAM<sup>l</sup> HODGDON Esquire.

SIR I have to request that you will be pleased to have the Military Stores contained in the list herewith enclosed, transported to the Frigate *Constitution* at Boston in the safest and most expeditious manner. —

I beg the favor of you to report what part are deposited in the public stores. —

A List of Articles to be transported to Boston for the Frigate *Constitution*. —Viz<sup>t</sup>.

100 pairs of Pistols.

200 Cutlasses

750 Stools of grape and Cannister shot.....24 pounds

300. D°.....D°.....d°.....12 pounds

450	Double Headed & chain Shot.....	24 pounds
210	Double Headed Chain shot.....	12 pounds
1750	Round Shot.....	12 pounds
60	Muskets with accoutrements & Complete for Marines	
8	Brass Hilted Hangers with Belts for Serjeants &c	
3	Suits of Serjeants Cloathing — including Blankets	
55	— d. Privates (including 2 Musicians & 3 Corporals)	d <sup>o</sup>
60	Knapsacks.	
2	Drums Complete with spare heads	
2	Fifes with slings complete.	
360	Musket Flints.	
80	Flints for Blunderbusses	
720	-- d <sup>o</sup> ....assorted.	
3000	Flannel Cartridges.....	for 24 pounds
1400	-- d <sup>o</sup> .....	for 12 pounds
20	Dozen Portfires	
180	Priming Tubes —	
60	-- ditto -- d <sup>o</sup>	
12	Dressed Sheep Skins	
4	Cw <sup>t</sup> of Match Stuff	
50	Quire Cannon Cartridge paper	
20	-- d <sup>o</sup> ..of Musket -- d <sup>o</sup>	
10	-- d <sup>o</sup> ..of Pistol ---- d <sup>o</sup>	
12	Pouch Barrels	
1	Box Spermacita or Wax Candles	
30	Lynch Stocks.—	

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

To Samuel Hodgdon from Secretary of War

[PHILADELPHIA,]  
War Office 12<sup>th</sup> April 1798.

SAM<sup>l</sup> HODGDON Esquire. —

SIR I have inclosed an Order on Tench Francis Esquire to deliver you the Provisions intended for the Frigate *Constellation*, which I request you will be pleased to take order to have transported to that Ship as soon as may be. —

By the last account from Captain Truxtun it appears that the *Constellation* was at anchor at the mouth of the Patapsco in his way to the Patuxent, whither he intended to proceed with the first favorable wind. —

I am &c

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

[14 April, 1798]

Information furnished by Captain John B. Thurston, of the Brig *Commerce*, concerning the French Privateer *La Revange*, et cetera

Sailed from Gibraltar, March 30, '98 — April 14, in lat. 36 degrees N. long. 26 W. saw a vessel at break of day, and soon perceived she was in chase of us. We made all the sail we could, but about 9 o'clock

a. m. she came up and gave us a gun. I then hove our main-topsail to the mast, and showed our colors. The captain ordered me to hoist out my boat and come on board, with my papers, which I did. She proved to be the French ship *La Revenge*, capt. Grallet, of 16 guns from Bourdeaux. He immediately hoisted out his boat and sent on board the *Commerce*, but they returned with only plundering a few boxes of raisins, fruit, &c. The captain then ordered a research by different officers, who, after digging in the salt about two hours, discovered 22 jars, in which were 11,000 dollars, the property of Mess. Murray and Mumford, and John and R. B. Forbes, of New-York, which was taken on board the privateer. I was then stripped in the privateer's cabin, even to my shirt and robbed of money to the amount of 160 dollars in gold, belonging to Mr. Benj B. Mumford. They threatened to burn or sink my vessel, if I withheld any money, which on search they should afterwards discover. Capt. Grallet ordered 5 Americans on board of my vessel, belonging to the brig *Farmer*, capt. Jacob Whittimore, of New-York, from Liverpool and Milford-Haven, bound to St. Michaels which they captured on the 11th April, in lat. 38, 40, N. long. 26, 16. W. and sent into Bourdeaux. After refusing to give up my letters, we were ordered to make off, when we soon lost sight of the privateer.

[LC, "Claypoole's American Daily Advertiser" (Phila.), 2 June 1798.]

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To Captain John Barry, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department 18<sup>th</sup> April 1798

Cap<sup>t</sup> JOHN BARRY

SIR, I enclose you a Copy of the Letter which you are to deliver to the Governor of the State of New York. You will wait upon M<sup>r</sup> Jay if at New York and receive such orders as he may be pleased to give, and make such Examination of the Cannon as will enable you to ascertain their effectiveness and fitness for the service. Should you approve of them, you will put Things in a Train to have them shipped for Philad\* as soon as I can send the Governor the Assurance from the President required by the Resolution of the Legislature of the State of N. York. —

[NDA. OSW, Vol. 1.]

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To Captain John Barry, U. S. Navy, from David Porter

BALTIMORE April 18<sup>th</sup> 1798

SIR After Saluteing You. Beg leave once more to trouble you. As Ships of War is to be provided, and to every appearance a War is inevitable, (*in consequence I offer to Serve*,) I wish to be on the Stage of Action once more, Be pleased to take the Necessary Steps, that I may if possible Obtain a Command, let me request of you to inform

me of the channel through which the applications are made, and if further Steps is necessary to be taken by me." " " "

Wishing you health and prosperity,

And Remain Dear Sir,

Yours with the Greatest Respect

My Best respects }  
to M<sup>rs</sup> Barry }

DAVID PORTER

Captain BARRY

P. S. I have put my Son David on board the frigate *Constellation*. (A Midshipman) he is Just Entered his 19<sup>th</sup> year, he is active, and promising, and understands navigation Well, a tolerable good Scholer other ways; has been Several voyages to Sea, And flatter myself he will use exertions to merit Something in our Young Navy.

[HS. of Pa. NDA photostat.]

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To John Harris, Storekeeper, from Secretary of War

[PHILADELPHIA,]

War Office, 19<sup>th</sup> April 1798.

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to the Purveyor a sufficient quantity of Iron and Lead Grape shot for filling the Cannisters for the Frigates, *United States*, *Constitution*, and *Constellation*. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

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To Benjamin Lincoln, Collector, Boston, from Secretary of the  
Treasury Oliver Wolcott

TREASURY DEPARTMENT,

April 20 1798.

BENJAMIN LINCOLN Esq.

*Collector of Boston Massachusetts*

SIR, I have received your letter of April 13<sup>th</sup> with the letter to you from sundry merchants of Boston, These Gentlemen must be better judges of what would be the most suitable construction of an armed vessell than I can pretend to be, and I authorize you to follow their opinion so far as it consists with your judgment, It ought however to be recollected that Congress are providing a naval force for the defence of Commerce and that a principal — though not a sole object of the Cutter establishment is the *protection of the Revenue*.

It is my wish that the work may be completed as soon as possible, and to avoid delay I have to request you to take measures for providing the Gun Carriages and whatever else may be necessary to a speedy and effectual equipment without waiting for further advices from this department.

I am with Consideration Sir

Your Mo. Obedt. Servt.

OLIVER WOLCOTT.

[TD. Coast Guard Out. Letters, No. 0, 1790–1833.]



To Captain Samuel Nicholson, U.S. Navy, from Secretary of War

[PHILADELPHIA,]  
War Office, 21<sup>st</sup> April 1798

Cap<sup>t</sup> SAM<sup>l</sup> NICHOLSON

SIR, Your Letters of the 15<sup>th</sup> Current, have been received. —

I have no Objection to the Canonades being cast for your Ship on the Plan proposed. M<sup>r</sup> Revere will accordingly prepare them with all convenient Dispatch. —

It should be understood that the Canonades must undergo the usual Proofs and Examinations, and will not be received if their Defects should be greater than usually tolerated.

You will be pleased to select proper Characters for Boatswain, Gunner, Carpenter, Sailmaker and Midshipmen, and report their Names, that I may be enabled to lay them before the President. —

The Medicine Chest for your Ship, and a complete Sett of Instruments are preparing and will be sent on as soon as possible.

[NDA, OSW, Vol. 1.]

To Henry Philips, merchant, from Secretary of War

[PHILADELPHIA,]  
War Office 23<sup>rd</sup> April 1798.

M<sup>r</sup> HENRY PHILIPS }  
Merchant }

SIR, I am informed that a vessel of yours, called the *America* which arrived this morning in the Port of Philadelphia is calculated for an armed Ship and capable of being moulded with 16 nine or Six pounds — Should you be inclined to dispose of the vessel alluded to — I beg the favor of you to inform me of the lowest Price you would require, and also a fair description of the vessel & Stores —

I am with great respect &c:

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Joshua Humphreys and Captain Thomas Thompson from Secretary of War

[PHILADELPHIA,]  
War Office 25<sup>th</sup> Ap<sup>l</sup> 1798.

JOSHUA HUMPHREYS Esq }  
THO<sup>s</sup> THOMPSON Capt. }

GENT<sup>l</sup> You will be pleased to examine the Ship *Two Friends*, and report her age, the exact State of her Hull, Masts & Yards, rigging, Sails, and every other particular by which a Judgement can be formed of her Value, also the number of Guns she can carry, and your opinion as to her fitness for a vessel of War — You will also State the alterations, repairs & articles, which she will require to fit her for Sea — The Time in which she can be so fitted, and an estimate of the expense. —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

[27 April 1798]

An act to provide an additional armament for the further protection of the trade of the United States; and for other purposes

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States shall be, and he is hereby authorized and empowered, to cause to be built, purchased or hired, a number of vessels, not exceeding twelve, nor carrying more than twenty-two guns each, to be armed, fitted out and manned under his direction.

SEC. 2. *And be it further enacted*, That the number and grade of the officers to be appointed for the service of the said vessels, shall be fixed by the President of the United States, as well as the number of men of which the respective crews shall be composed, who, as well officers as seamen and marines, shall receive the same pay and subsistence, be entitled to the same advantages and compensations, be governed by the same rules and regulations, and be engaged for the same time, and on the same conditions, as by an act of the United States, passed the first of July, one thousand seven hundred and ninety-seven, entitled "An act providing a naval armament," is ascertained and established, as fully, as if the particular provisions of that act, having reference thereto, were herein inserted at large. *Provided always, and be it further enacted*, That the President of the United States be, and he is hereby authorized to cause the term of enlistment of the seamen and marines, to be employed in any vessel of the United States, to be extended beyond one year, if the vessel should then be at sea, and until ten days after such vessel shall arrive in some convenient port of the United States, thereafter; any thing contained in this act, or in the act entitled "An act providing a naval armament," to the contrary notwithstanding.

SEC. 3. *And be it further enacted*, That the officers of the aforesaid vessels may, during the recess of the Senate, be appointed and commissioned by the President alone.

SEC. 4. *And be it further enacted*, That the sum of nine hundred and fifty thousand dollars, be and are hereby appropriated out of any monies in the treasury of the United States, beyond the appropriations that may heretofore have been charged thereon, for the purpose of carrying the objects of this act into effect.

Approved, April 27, 1798.

[Statute II.—Page 552.]

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To James Craufurd and John Donaldson from Secretary of War

[PHILADELPHIA,]

War Department 28<sup>th</sup> April 1879

Mess<sup>rs</sup> JAMES CRAUFURD }  
& JN<sup>o</sup> DONALDSON }

GENT<sup>ls</sup> Should your convenience admit, you are requested to examine the Ship *Ganges* — and report her age, the exact State of her Hull, Masts & Yards, Rigging, Sails, and every other particular by which a Judgment can be formed of her value, also the Number of Guns she can carry, and your opinion as to here fitness for a vessel

of War — You will also State the alterations, repairs, and articles, which She will require to fit her for Sea — The Time in which She can be so fitted, and an Estimate of the Expense —

I am Gent<sup>s</sup> &c<sup>s</sup>

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

[28 April, 1798]

Purchase of Revenue Cutter *Active*

Sale at Auction of The Revenue Cutter *Active*, Captain David Porter, & order of Robert Purviance Esq<sup>r</sup> — for Account of The United States on 90 Days Credit —

BALTIMORE April 28<sup>th</sup> 1798

The Revenue Cutter <i>Active</i> with all her Tackle &c	Doll \$750.0	David Porter	\$750.0
Charges			
Duties & Commission 2 p Cent		\$15. 0	
P <sup>d</sup> Advertising in The Several news papers		1. 50	
			16.50
Net Proceeds —			\$733.50
Errors Excepted —			

YATES & CAMPBELL  
Auctioneers

Received from Robt. Purviance Esq<sup>r</sup> Sixteen Doll<sup>s</sup> & fifty cents in full for the above charges

YATES & CAMPBELL  
27 June '98

\$16.50

Robert Purviance Agent for the Sale of the Cutter *Active*

To the United States..... D<sup>r</sup>  
For Net proceeds of the Sale of said Cutter per the within acct. Dollars 733.50

Auditors office }  
February 26<sup>th</sup> 1800 }

FERRALL

[GAO, #11,271.]

[30 April 1798]

An act to establish an executive department, to be denominated the  
Department of the Navy

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be an executive department under the denomination of the Department of the Navy, the chief officer of which shall be called the Secretary of the Navy, whose duty it shall be to execute such orders as he shall receive from the President of the United States, relative to

the procurement of naval stores and materials and the construction, armament, equipment and employment of vessels of war, as well as all other matters connected with the naval establishment of the United States.

SEC. 2. *And be it further enacted*, That a principal clerk and such other clerks as he shall think necessary, shall be appointed by the Secretary of the Navy, who shall be employed in such manner as he shall deem most expedient. In case of vacancy in the office of the secretary, by removal or otherwise, it shall be the duty of the principal clerk to take the charge and custody of all the books, records and documents of the said office.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy be and he is hereby authorized and empowered, immediately after he shall be appointed and shall enter upon the duties of his office, to take possession of all the records, books and documents and all other matters and things appertaining to this department, which are now deposited in the office of the Secretary at War.

SEC. 4. *And be it further enacted*, That there shall be allowed to the Secretary of the Navy an annual salary of three thousand dollars, payable quarter yearly at the treasury of the United States, and the respective clerks in the office of the said department shall receive the same compensations and be subject to the same regulations, as are provided by an act, supplemental to the act, establishing the treasury department, and for a further compensation to certain officers, in the office of the other executive departments.

SEC. 5. *And be it further enacted*, That so much of an act, entitled "An act to establish an executive department, to be denominated the department of war," as vests any of the powers contemplated by the provisions of this act, in the Secretary for the department of War, shall be repealed, from and after the period when the Secretary of the Navy shall enter on the duties of his office.

*Approved, April 30, 1798.*

[Statute II., page 553.]

[May, 1798.]

**Extract of letter from Captain John Pitman, concerning Captain Very's ship being boarded by a French Privateer**

SALEM, May 29.

[Extract of a letter from Capt. John Pitman, dated at Baltimore, May 28]

"Last Monday, being in the Bay, beating up, with the wind from the northward, fell in with Capt. Very, of Salem, off New Point Comfort. He informed of his being boarded by a French privateer sloop of 16 guns, on his passage, which put on board of him the masters and crews of five American vessels which they had taken on our coast belonging to Boston and New-York, who were then all on board, 48 in number, as I understood. Having a fresh breeze, and passing by him quick, could not get particulars, but understood they were all outward bound. Expect the particulars by to-morrows post from Alexandria, as I think Capt. V. must have arrived there on Friday or Saturday last."

[LC, "Columbian Centinel" (Boston, Mass.), 30 May 1798.]

To James Yeomans, master carpenter, from Captain Thomas Truxtun, U. S. Navy

UNITED STATE'S SHIP, *Constellation* }  
*Patuxent May 1<sup>st</sup> 1798—* }

SIR, You will in your Capacity as Master Carpenter of this Ship in the Navy of the United States, be particularly careful of all the Spars, Boats Oars, Pump Gear, Tools, Pitch, Rosin, Turpentine, Varnish, Paints, Oil, and all other Stores in your Department, and have the same at Hand, and ready for Use at all Times. You will see, that every Matter appertaining to your Business, is kept in repair, and report any Defects, that may appear, as soon as it is seen. You are particularly charged with having the Ship well wet Night and Morning, *inside and out*, and to enable you to do all and every Part of your Business with Convenience, you may partially employ such of the Crew to aid you, as the Officer of the Deck may deem necessary, independent of your Mates; and Yeoman. You will be very particular in keeping an Account of all Expenditures. I am Sir,

Your Obedient &c.

THOMAS TRUXTUN.

M<sup>r</sup> JAMES YEOMANS.

[HS of Pa. NDA Photostat. Truxtun's LB, 1798-9.]

To Colonel Thomas Thompson from Secretary Timothy Pickering

DEPARTMENT OF STATE *Philadelphia*  
*May 2, 1798*

Col<sup>l</sup> THOMAS THOMPSON

SIR, As the officers and crew of the *Crescent* frigate were engaged chiefly at Portsmouth in New Hampshire, it is probably that the vessel which Captain O'Brian shall procure to bring them home, may steer for that place; or for some port in Massachusetts; in which case it will be convenient to have them paid off by you — at least all those who shall return to Portsmouth and Newbury-Port, and probably the others, few in number, belonging to the neighbouring ports.

I have therefore to request you to settle the accounts of Officers and men of the *Crescent*, and pay them the balances due to them; which you will be enabled to do satisfactorily from your acquaintance with every matter concerning them previous to their sailing.

Should any money, cloathing or other articles have been furnished to them by Captain O'Brien, or others, Captain Newman or other officer of the ship will doubtless furnish you with the documents requisite for an exact adjustment of their accounts.

If any stores procured on public account for the use of the officers and crew of the *Crescent* should remain, on their return, you will receive and dispose of them for the best advantage of the U. States.

You may draw on me for the monies necessary to execute these Orders. I am respectfully &c

TIMOTHY PICKERING

[3 May 1798]

Purchase of Ship *Adriana*

KNOW ALL MEN by these presents, That I Seth Barton of the City of Baltimore Merchant Sole Owner of the Ship *Adriana* for and in consideration of the Sum of twenty Seven thousand Dollars current Money of the U. S. to Me in hand paid by the United States of America, the receipt whereof is hereby acknowledged, HAVE, and by these Presents Do, Grant, Bargain, Sell, Assign, Transfer, and set over unto the said United States, all that the Ship *Adriana* together with all her Masts, Yards, Sails, Rigging, Anchors, Cables, Boats, Tackle, Apparel and Appurtenances, Which said Vessel is Registered in the Port of Baltimore in the words following, to wit:

## Permanent.

[SEAL OF  
THE  
TREASURY  
OF THE  
UNITED  
STATES]

"No. 69, Sixty nine In pursuance of an Act of Congress  
"of the United States of America, entitled, "An Act  
"concerning the Registering and recording of Ships or  
"Vessels — Seth Barton of Baltimore Town Merchant  
"having taken or subscribed the Oath required by the  
"said Act, and having Sworn that he is the only Owner  
"of the Ship or Vessel, called the *Adriana* of Baltimore,  
"whereof Philemon Dawson is at present Master, and is  
"a Citizen of the United States, as he has Sworn and that  
"the said Ship or Vessel was built at this place this  
"present Year; as also appears by the Certificate of  
"Joseph Caverly of this place, Master Builder, and  
"Daniel DeLozier, Surveyor of this District, having  
"certified that the said Ship or Vessel has two Decks and  
"three Masts, that her Length is one hundred and three  
"feet-nine inches,  
"her Breadth thirty feet and eight inches, her Depth  
"----- and that she measures Four  
"hundred and twenty two & 32/95 Tons, that she is a  
"square sterned Ship, has quarter Galleries and a Woman  
"figure head and the said Seth Barton having agreed to  
"the Description and ad Measurement above specified  
"and sufficient security having been given according to  
"the said Act, the said Ship has been duly registered at  
"the Port of Baltimore

"Given under our Hands and Seals At the Port of  
"Baltimore Maryland this second Day of May in the  
"Year One Thousand Seven Hundred and Ninety-five."

TO HAVE AND TO HOLD the said Ship *Adriana* with the appurtenances as aforesaid unto the said United States of America, their Executors, Administrators and Assigns, for ever. And I the said Seth Barton for me, my Heirs, Executors and Administrators, Do hereby Covenant and Agree to and with the said United States, their Executors, Administrators and Assigns, that at the Execution of these Presents, I the said Seth Barton have full right and authority to Sell and Dispose of the same, freed from and cleared of all Claims, Incumbrances or Demands whatsoever.

IN WITNESS WHEREOF, I have hereunto set my Hand and Seal the Twenty third Day of May, in the Year of our Lord One Thousand Seven Hundred and Ninety eight.

Signed, Sealed, and Delivered }

In Presence of }

THOMAS FISHER

R WEDERSTRANDT.

SETH BARTON

[GAO, No. 9, 803.]

[3 May 1798]

Purchase of Ship *Ganges*

KNOW ALL MEN by these Presents, that I Thomas Willing Francis, together with Thomas Willing, and Thomas Mayne Willing, of the City of Philadelphia and State of Pennsylvania, Merchants, Owners of the Ship called the *Ganges* of Philadelphia, on the one part, for and in consideration of the Sum of Fifty eight thousand Dollars, to us in Hand paid by the United States of America, of the other part, the receipt whereof, is hereby acknowledged, Have, and by these Presents, do grant, Bargain, Sell, Assign, transfer, and Set over, unto the said United States of America, the whole of the said Ship, called the *Ganges* of Philadelphia, together with all and every her Masts, Yards, Sails, Rigging, Anchors, Cables, Boats, Tackle, Guns, Stores, Provisions, Apparel and Appurtenances, as She now lays in this Port—which said Vessel is Registered in the Port of Philadelphia, in the Words following to. Wit: N<sup>o</sup> 7. Seven. —

Permanent.

Seal of the Treasury of the United States Joseph Nourse Register—

In Pursuance of An Act of the Congress of the United States of America, entitled, An Act concerning the registering and recording of Ships or Vessels, Thomas Willing Francis, of the City of Philadelphia, Merchant, having taken or subscribed the Oath required by the said Act, and having Sworn that he said Thomas Willing Francis together with Thomas Willing and Thomas Mayne Willing both of said City, Merchants, are the true and only owners of the Ship or Vessel called the *Ganges* of Philadelphia, whereof Richard Dale is at present Master, and is a Citizen of the United States as he hath Sworn, and that the said Ship or Vessel was built at Philadelphia, in the State of Pennsylvania in the Year One thousand Seven hundred and ninety five, Per former Register N<sup>o</sup> 221, issued from this office, and dated 6<sup>th</sup> July 1796. now delivered up to be Cancelled — And Walter Stewart late Surveyor of this District, having Certified that the said Ship or Vessel, has two Decks, and three Masts, and that her length is One hundred sixteen feet four inches — her breadth Thirty one feet four inches — her depth Fifteen feet eight inches — and that She measures Five hundred and four Tons — that She is a carved square Sterned Ship, has double quarter Galleries, and Stern Gallery,

Seal of the Custom House of Philad<sup>a</sup>

Sharp Delany Collr

W<sup>m</sup> Tilton Dynoff

round house, and a [space]head; and the Said Thomas William Francis having agreed to the description, and admeasurement above Specified, and Sufficient Security having been given according to the said Act, the Said Ship, has been duly Registered at the Port of Philadelphia — Given under My Hand and Seal, at the Port of Philadelphia, this Seventeenth Day of January, in the Year, One thousand seven hundred and ninety eight.

To have and to hold the Said Ship, called the *Ganges* of Philadelphia, together with all and every her appurtenances as aforesaid, unto the said United States of America, for ever. And I the Said Thomas Willing Francis together with Thomas Willing and Thomas Mayne Willing, for ourselves, our Heirs, Executors, and Administrators, do hereby Covenant, and Agree, to and with the Said United States of America, that the the Execution of these presents, We the Said Thomas Willing Francis, Thomas Willing, and Thomas Mayne Willing, are the true and lawful Owners of the said Ship, called the *Ganges* of Philadelphia, and appurtenances, and We now have full right and Authority, to Sell and dispose of the Same, freed from and Cleared of all Claims, Incumbrances, or Demands, whatsoever —

In Witness whereof, We have hereunto Set our Hands, and Seals, the third Day of May, in the Year of our Lord One Thousand seven hundred and ninety eight —

Sign'd and Seal'd  
in the presence of {  
W<sup>m</sup> GOVETT.  
SAM SMITH.

THO<sup>s</sup> WILLING.  
THO<sup>s</sup> M. WILLING  
THO<sup>s</sup> W. FRANCIS.

[GAO, No. 9749.]

[4 May 1798]

An act to authorize the President of the United States to cause to be purchased, or built, a number of small vessels to be equipped as galleys, or otherwise.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby authorized if the same shall appear to him necessary for the protection of the United States, to cause a number of small vessels, not exceeding ten to be built, or purchased, and to be fitted out, manned, armed and equipped as galleys, or otherwise, in the service of the United States, the officers and men to be on the same pay, and to receive the same subsistence, as officers of the same rank and men are entitled to, in the navy of the United States.

SEC. 2. *And be it further enacted,* That the said officers shall be appointed and commissioned by the President of the United States alone during the recess of the Senate; and the said galleys or vessels shall be stationed in such parts of the United States, as he may direct.

SEC. 3. *And be it further enacted,* That there be appropriated for the purpose aforesaid, the sum of eighty thousand dollars, out of any monies in the treasury not otherwise appropriated.

*Approved, May 4, 1798.*

[Statute II, page 556.]



To Messrs. Willings & Francis, agents, from Secretary of War

[PHILADELPHIA,]  
War Department 4<sup>th</sup> May 1798

Mess<sup>rs</sup> WILLINGS & }  
FRANCIS }

GENT<sup>l</sup> Captain Dale has accepted the Command of the *Ganges*, and received Instructions to direct the Naval Constructor to cause such alterations and improvements to be promptly made, as may be necessary to prepare the Ship in every respect for Sea, and as effective as possible for the purposes she is destined — You are requested to accept the Agency of paying the Workmen employed and procuring such additional Stores and other Articles as being indispensable and proper, may be directed — In all these cases you will procure and preserve such vouchers as may be proper to be produced to the accounting officers —

[NDA, LB. Correspondence when Navy was under War Department 1790–1798.]

To Midshipman James McDonough from Secretary of War

[PHILADELPHIA,]  
War Department 4<sup>th</sup> May, 1798.

JA<sup>s</sup> M<sup>c</sup>DONOUGH

SIR, You will forthwith and without Loss of Time repair on Board the Frigate *Constitution* commanded by Cap<sup>t</sup> Samuel Nicholson laying at Boston, and put yourself under his Orders, any thing contained in my letter of the 26<sup>th</sup> April ultimo notwithstanding, to which vessel you will consider Yourself appointed a Midshipman.

[NDA. OSW, Vol. 1]

To Captain Samuel Nicholson, U. S. Navy, from Secretary of War

[PHILADELPHIA,]  
War Department, 5<sup>th</sup> May, 1798.

Cap<sup>t</sup> NICHOLSON Boston

SIR, I have it in command from the President, to direct you to repair on board the Ship *Constitution* laying at Boston, and to lose no Time in completing, equipping and manning her for Sea. —

The Lieutenant of Marines will immediately proceed to inlist, agreeably to the inclosed Instructions, and the Act intituled an “Act providing a Naval Armament” passed the first of July 1797. —

You will forthwith cause such of the Sea Officers, as may appear best calculated for the Business, to open houses of Rendezvous in proper Places, and to exert Themselves to engage One hundred and Fifty able Seamen, and One hundred and Three Midshipmen and ordinary Seamen, at the following Terms of Service and Rates of Wages. The Seamen to engage for twelve Months unless sooner discharged. The Pay of the Able Seamen to be seventeen dollars per Month the ordinary Seamen Ten Dollars. —

You will instruct the Officers at each Rendezvous, to engage none other than healthy robust and well organized Men, and to reject those who may be scorbutic or consumptively affected. You will direct the Surgeon or a Mate to attend at these Places to examine

each Sailor and Marine, and to certify to the recruiting Officer, that they are well organized, healthy and robust, and free from scorbutic and consumptive Affections, before he engages them or pays them any Money. If Money is advanced or paid to any without such a Certificate, it will be at the risk of the Officer paying it. —

The Officer of each Rendezvous shall make out on every Saturday a Return of the Number of Seamen recruited within the Week, Stating therein the Number delivered over to the Ship, and transmit the same to the Captain, and a Duplicate to be forwarded to the Sec<sup>y</sup> for the department of War. —

You will also transmit to the Sec<sup>y</sup> of the Department of War — a weekly Return exhibiting the Number of Marines, able and ordinary Seamen on board the Ship, and the Incidents that have taken place respecting Them or any of Them; as also the Progress that has been made in preparing her for Sea. —

The commanding officer at each Rendezvous, on the desertion of a Seaman or Marine, besides the usual Exertions and Means to be employed on such occasions to recover and apprehend them, will transmit as soon as possible a Description of Them to the Secretary of War. —

With respect to the Pay of the Marines and Seamen. The Purser, 'till order'd otherwise, will act as Pay-Master to the officers and Crew, and will receive from time to time Money for that Purpose.

Marines may be advanced Two Dollars, out of their first Month's Pay — and Seamen Two Month's Pay, if they cannot be obtained without such Advance. —

The recruit<sup>s</sup> Officers will be held accountable for all Monies paid in their hands for the recruiting service — for the Expenditure of which, proper vouchers must be produced at the Accountant's Office.

The Names of the Marines and Seamen are to be entered alphabetically in the Muster and Pay Rolls, and the Men to be mustered while in Port by a qualified Person, whose Certificate as well as your's is to be attached to the Muster Roll. —

It is the President's express orders, that you employ the most vigorous Exertions, to accomplish these several Objects and to put your Ship, as speedily as possible, in a Situation to sail at the shortest Notice. —

Should any Articles for this Purpose, be yet wanting, you will specify them without delay, in order to their being procured. —

[NDA. OSW, Vol. 1.]

[5 May 1798]

To Daniel Carmick, Lieutenant of Marines, from Secretary of War

[PHILADELPHIA,]

DAN<sup>l</sup> CARMICK Lieu<sup>t</sup> Marines on board the *Ganges*.

Sir, The President of the United States, by and with the Advice and Consent of the Senate, having appointed you a Lieutenant of Marines on board the Ship *Ganges*,

You will be pleased to commence the recruiting the Complement of Marines allowed by Law to the said Ship. — to wit — One Searjeant, One Corporal, One Drum and Fife, and Twenty one Privates. In

performance of this Duty, you will pay particular Attention to the Rules and Regulations hereinafter mentioned.

Here follows the Rules and Regulations, similar to those given to the Lieutenant on Board the *Constellation*, for which refer to Pages 5, 6, & 7. —

Given at the War Office of the United States, this fifth day of May A. D. 1798 and in the Twenty second year of the Independence of said States. —

[NOTE.—Pages 5, 6 and 7 above referred to contain enlistment instructions dated 16 March 1798, addressed to the Lieutenant of Marines on board the Frigate *Constellation*.]

[NDA. OSW, Vol. 1.]

[5 May 1798]

To Lemuel Clerk, lieutenant of Marines, from Secretary of War

[PHILADELPHIA,]  
War Department,

LEMUEL CLERK Lieutenant of Marines. Boston.

Sir, The President of the United States, by and with the Advice and Consent of the Senate, having appointed you a Lieutenant of Marines on board the *Constitution*, You will be pleased to commence the recruiting the Complement of Marines allowed by Law to the said Ship — to wit — Three Serjeant — Three Corporals — One Drum, and Fife, and Fifty Privates. In the Performance of these Rules and Regulations you will pay particular Attention to the Rules and Regulations herein after mentioned. —

Here follows the Rules and Regulations, similar to Those given to the Lieutenant on board the *Constellation* for which, See Pages 5, 6. & 7. —

Given at the War Office of the United States, this 5<sup>th</sup> day of May — A. D. 1798. and in the twenty second Year of the Independence of said States. —

[NOTE.—Pages 5, 6 and 7 above referred to contain recruiting instructions dated 16 March 1798, addressed to the Lieutenant of Marines on board the Frigate *Constellation*.]

[NDA. OSW, Vol. 1.]

[5 May 1798]

Purchase of Ship *Hamburgh Packet*

KNOW ALL MEN by these presents, that I Philip Nicklin, together with Robert E. Griffith, of the City of Philadelphia, and State of Pennsylvania, Merchants, Owners of the Ship called the *Hamburgh Packet* of Philadelphia, on the one part, for and in Consideration of the Sum of Forty five thousand Dollars, to us in Hand paid by the United States of America, of the other part, the receipt whereof is hereby acknowledged, Have, and by these Presents do Grant, Bargain, Sell, Assign, transfer and Set over, unto the Said United States of America, the whole of the Said Ship, called the *Hamburgh Packet* of Philadelphia, together with all and every her Masts, Yards, Sails, rigging, Anchors, Cables, Boats, Tackle, Guns, Stores, Provisions, Apparel, and Appurtenances, as She now lays in this

Port. — Which Said Vessel is Registered in the Port of Philadelphia, in the Words following to Wit: N<sup>o</sup> 269. Two hundred and Sixty nine. —

Permanent

Seal of the  
Treasury of the  
United States

Joseph Nourse  
Register

Seal of the Cus-  
tom House of  
Phiad<sup>a</sup>

Sharp Delany  
Coll<sup>r</sup>

W Macpherson  
N. Off —

In Pursuance of an Act of the Congress of the United States of America, entitled, An Act concerning the registering and recording of Ships or Vessels, Philip Nicklin of the City of Philadelphia, Merchant, having taken or Subscribed the Oath required by the Said Act, and having Sworn, that he said Philip Nicklin, together with Robert E Griffith of said City Merchant, are the true and only Owners of the Ship or Vessel, called the *Hamburgh Packet* of Philadelphia, whereof Silas Swain is at present Master, and is a Citizen of the United States as he hath Sworn, and that the said Ship or Vessel was built at Philadelphia, in the State of Pennsylvania, in the Year One thousand Seven hundred and Ninety four, per former Register N<sup>o</sup> 351. Issued from this Office, and dated 31<sup>st</sup> October 1795. now delivered up to be Cancelled. And Walter Stewart Surveyor of this District, having Certified that the said Ship or Vessel has two decks, and three Masts, and that her length is Ninety four feet nine inches, her Breadth Twenty eight feet, — her depth Fourteen feet, — and that She Measures Three hundred twenty one & 64/95 Tons that She is a carved square Sterned Ship, has quarter Galleries, Ten Carriage Guns, and a Man Indian head, and the Said Philip Nicklin having agreed to the description and admeasurement above specified, and sufficient Security having been given according to the said Act, the said Ship has been duly registered at the port of Philadelphia. —

Given under my Hand and Seal at the Port of Philadelphia, this Eighth Day of December, in the Year One Thousand seven hundred and ninety seven.

To have and to hold the said Ship called the *Hamburgh Packet* of Philadelphia, together with all and every her Appurtenances as aforesaid, unto the said United States of America forever. — and I the said Philip Nicklin together with Robert E Griffith, for ourselves, our Heirs, Executors, and Administrators, do hereby Covenant and Agree, to and with the said United States of America, that at the Execution of these Presents, we the Said Philip Nicklin and Robert E Griffith, are the true and lawful Owners of the said Ship, called the *Hamburgh Packet* of Philadelphia, and Appurtenances, and We now have full right and Authority to Sell and dispose of the same, freed from and Cleared of all Claims, Incumbrances or Demands whatsoever. —

In Witness whereof, We have hereunto Set Our Hands and Seals, the fifth Day of May, in the Year of our Lord, One Thousand Seven hundred and Ninety eight.

Sign'd and Seal'd  
in the presence of }  
SAM SMITH. }  
PHILIP YONGE.

PHILIP NICKLIN  
ROB<sup>t</sup> E. GRIFFITH

To Captain John Barry, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

Navy Department, 5<sup>th</sup> May. 1798.

Cap<sup>t</sup> BARRY.

SIR, I have it in command from the President of the United States, to direct you to repair with all due Speed on board the Frigate *United States* laying at Philadelphia

It is requested that no Time be lost in compleating what Work is yet to be done and preparing her in every respect for Sea.

The Lieutenant of Marines will immediately proceed. &c &c. Refer to pages 21. 22. 23 & 24. [Note. These pages contain letter of 5 May, 1798 to Captain Samuel Nicholson.]

Having selected proper Characters for Boatswain, Gunner, Carpenter and Sail Maker — you will return their Names, that they may be laid before the President. —

[NDA. OSW, Vol. 1.]

To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department May 5<sup>th</sup> 1798

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to the order of Captain Richard Dale for the use of the *Ganges* Forty Tons Iron Kentledge. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

The following list bears no date, but its place in Letter Book is between May 7, 1798 and April 18, 1798, on page 10

Monthly Pay of Petty Officers, Seamen, Ordinary Seamen, and Marines on board the Frigates of the United States.

	19	Dollars	Each	per	Month
Midshipmen.....	19	d°	—		d°
Masters Mates.....	20	d°	—		d°
Captain's Clerks.....	25	d°	—		d°
Boatswain's Mates.....	19	d°	—		d°
Cockswain.....	18	d°	—		d°
Sail Maker's Mates.....	19	d°	—		d°
Gunner's Mates.....	19	d°	—		d°
Yeomen of the Gun Room.....	18	d°	—		d°
Quarter Gunners.....	18	d°	—		d°
Carpenter's Mates.....	19	d°	—		d°
Armourers.....	18	d°	—		d°
Steward's.....	18	d°	—		d°
Coopers.....	18	d°	—		d°
Master's at Arms.....	18	d°	—		d°
Quarter Masters.....	18	d°	—		d°
Cooks.....	18	d°	—		d°
Seamen.....	17	d°	—		d°
Ordinary Seamen.....	10	d°	—		d°
Marines—					
Serjeants.....	9	d°	—		d°
Corporals.....	8	d°	—		d°
Drums & Fifes.....	7	d°	—		d°
Privates.....	6	d°	—		d°

[NDA. OSW, Vol. 1.]

To Governor John Jay from Secretary of War

[PHILADELPHIA,]

War Department 7<sup>th</sup> May 1798

His Excellency JOHN JAY

SIR I had the honour to receive your excellency's letters dated the 7<sup>th</sup> of April Ult<sup>o</sup> and am now authorized to communicate to you the assurance of the President of the United States, that he will cause an equal number of Cannon of the like dimensions, and cast at the same Foundry to be delivered to the State of New York, in return for such cannon as may be received from the said State for the use of the United States, under a resolution of the legislature of the said State dated the 27<sup>th</sup> of April Ult<sup>o</sup> —

Cap<sup>t</sup> Barry commander of the *United States* Frigate, was sent some time since to examine and prove the cannon in question. He has reported favorably of a part, being all he had an opportunity of determining the suitableness of, and left instructions, respecting the remainder necessary to complete the number, which I have no doubt will be observed when they are sent down the River

Those approved of, are at Governors Island, and as the exigency requires no time shou'd be lost in forwarding them to the vessel they are destined for. I have taken the Liberty to send orders to Cap<sup>t</sup> Fry to deliver them to such person as may be ordered to receive them for transportation to this Port — To these orders I pray you to add, those necessary upon your part —

I wish you to believe that it would give me great pleasure to see the Harbour & City of New York put in a respectable State of defence

I am sorry however to inform you that from the best Judgment I am able to form, this cannot be accomplished without aid from the State, or by the means at present in the power of the Executive, without an abandonment of other ports in the Union, which it wou'd be inexpedient and improper to neglect — Col<sup>o</sup> Stevens has favored me with some very judicious observations on the subject of the necessary fortifications, and an estimate of their probable cost amounting to about 150,000 Dollars — Col<sup>o</sup> Burr has not called upon me, but as he is in Town I expect he will — I shall not fail to avail myself of whatever information he may be pleas'd to impart, and to determine, as soon as possible upon the sum that may be applied of the appropriations to the defence of the Harbour, as well as the points upon which to expend it —

With great respect &c<sup>t</sup>

[NDA, LB. Correspondence when Navy was under War Department, 1790-1798.]

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To Mr. Bankson, armorer, from Captain Thomas Truxtun, U. S. Navy

UNITED STATES SHIP *Constellation*

*Patuxent* May 7<sup>th</sup> 1798.

SIR Your general duty as Armourer consists in obeying the orders you may receive from time to time from the Commanding Officer on deck Your particular duty is to take Charge of all tools and apparatus belonging to the department of Armourer and Gun Smith

and to assist the gunner in the Survey of all Small Arms and to keep them Clean and in good order. You are further to Consider Yourself Under the gunner's direction and to be of his Crew.

You will also in performing your duty obey the directions of the Lieutenant of Marines and Master of Arms and make Yourself as Useful as possible in Makeing & Repairing all sorts of tools in every department on Board.

I hope by a Steady attention to duty you will be enabled to give all who you are to Cooperate with Sattisfaction and thereby Make Yourself comfortable on Board.

I am Sir Your ob<sup>t</sup> S<sup>t</sup> —

THOMAS TRUXTUN

To M<sup>r</sup> BANKSON.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Lieutenant John Rodgers, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department 7<sup>th</sup> May 1798.

Lieut<sup>t</sup> JOHN ROGERS Balt<sup>o</sup>

SIR, To facilitate the manning the Frigates as much as possible it is judged proper, that the Pay of the able Seamen should be increased to seventeen Dollars per Month. You will therefore be pleased to proceed to enter the able Seamen accordingly, at that rate of Pay and endeavour to procure the Number of able and ordinary Seamen required for the *Constellation* with as much Expedition as possible. —

It may be proper to inform those able Seamen that have already entered at 15 Dollars per Month, that they will have the Benefit of this Advance, and that Orders will be given to pay them the additional sum therefor. —

This Alteration of Pay is not to be considered to extend to any other than able Seamen. —

[NDA. OSW, Vol. 1.]

To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department 8<sup>th</sup> May. 1798.

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to Captain Richard Dale of the Ship of War *Ganges*, the following Military Stores, which are to be charged to that Ship. — Viz<sup>t</sup>

- 2600 lbs Powder for Cannon and Muskets in Barrells and half Barrells. —
- 800 Round Shot of 9 pounds.
- 200 Double headed --- ditto
- 6000 lb of Grape fixt. in cannisters, and put in boxes. — 9 pounds. —
- 3000 Musket Cartridges
- 300 Pistol --- ditto
- 4 Muskets — with accoutrements Complete
- 10 Cutlasses with scabbards.
- 6 Boarding Pikes.
- 20 Scabbards for Cutlasses. (the Cutlasses are on board). —

[NDA, LB. Correspondence when Navy was under War Department 1795-1798.]

To Captain Richard Dale, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department 11<sup>th</sup> May. 1798.

Cap<sup>t</sup> DALE.

SIR, The Ship *Ganges* now in the Port of Philad<sup>a</sup> being purchased on account of the United States, and intended to be equipped and employed as a Vessel of War. —

I am directed by the President of the United States, to order you as a Captain in the Navy of the United States, to repair forthwith on Board, and take the Command of the said Ship. —

You will use your Exertions, to get the Ship if possible to Sea, in the course of a Week, and direct only such Improvements, and Alterations to be made in her, as will not occasion a Detention. In the Time mentioned, it is expected She will be completely fitted and manned for a cruise of three Months. —

You will furnish the Names of such Persons, as you may think qualified for the following Appointments respectively viz<sup>t</sup>

1st Lieutenant

2nd Lieutenant

Lieutenant of Marines

Surgeon

Surgeon's Mate

Purser

Sailing Master

2 Masters' Mates — 2 Midshipmen

Boatswain

Gunner. — and Carpenter. —

The Lieutenant of Marines when appointed, will immediately proceed to enlist twenty one Privates — 1 Serjeant — 1 Corporal and 2 Musicians, to serve as Marines, in the Navy of the United States, for a Term not exceeding Twelve Months, unless sooner discharged — You will transmit to him the annexed Regulations for his Government. —

You will cause such of your Officers as may appear best calculated for the Business, to open houses of Rendezvous, in proper Places and exert themselves to engage 64 able Seamen, and 32 ordinary Seamen, for a Term of Service of three Months (in Case the Serjeant be engaged for twelve months) unless sooner discharged. — The Pay of the able Seamen to be seventeen Dollars per Month, and that of the ordinary Seamen, Ten dollars per Month. —

It is directed that none other, than healthy robust and well organized Men, be enlisted or engaged. To this End, you will cause the Surgeon to attend at the Place or Places of Rendezvous, to examine each Sailor and Marine, and to certify to the recruiting Officer, that they are well organized, healthy and free from scorbutic or consumptive Affections, before he engages them. If Wages are paid to any without such Certificate — it will be at the Risk of the Officer paying it.

The Officer at each Rendezvous, shall make out a Return of the Number of Seamen and Marines recruited or engaged each day, stating therein the Number delivered over to the Ship, and transmit the same to the Captain and a Duplicate to the Secretary of War. —



The Officer at each rendezvous on the desertion of a Seaman or Marine, besides the usual Exertions and Means to be employed on such Occasions to recover and apprehend him, will transmit as soon as possible a description of him, to the Secretary of War. —

The Purser until further Orders, will act as Paymaster to the Officers and Crew, and will receive from time to time, Money to make Payments. —

Marines are to be advanced, Two dollars each, out of their first Month's Pay. The Advance to Seaman, if they cannot be obtained without it, may be two Months Pay.

As soon as you give Notice of the Places of Rendezvous, and the Names of the Officers who will have Charge of Them, a sufficient sum will be remitted to the Purser, to be paid over occasionally to them to promote the recruiting service — The Officers receiving this Money will be held accountable for it's faithful Application, and must produce at the Accountant's Office, proper Voucher's for it's Expenditure.

The Names of the Marines and Seamen are to be entered Alphabetically, in the Muster and Pay Rolls, and the Men to be mustered while in Port, by a qualified Person, whose Certificate as well as your's, is to be attached to the Muster Roll. —

You will be pleased to make out an Inventory of and Receipt for, on behalf of the United States, all military Stores, and Ammunitions, including Arms & Cannon, Tackle Apparel, all other Stores and Articles of Equipment, provisions &c. comprized in the purchase of the Ship, and delivered to you — A Duplicate of which Inventory and Receipts, you will transmit to the Secretary of the Department of War. —

You will make out and return as aforesaid, a List of all Warlike Articles, Equipments Stores &c. that may be wanted, in addition to what shall be delivered to you; in order that the same may be procured as speedily as possible. —

[NDA. OSW, Vol. 1.]

[12 May, 1798]

Captain Samuel Nicholson's recruiting advertisement for the  
U. S. Frigate *Constitution*

#### FRIGATE *Constitution*

To all *able-bodied* and *patriotic Seamen*, who are willing to serve their Country, and Support its Cause:

The President of the United States, having ordered the Captain and Commander of the good Frigate *Constitution*, of 44 guns, now riding in the harbor of *Boston*, to employ the most *vigorous exertions* to put said ship, as speedily as possible, in a situation to sail at the shortest command.

Notice is hereby given, That a HOUSE OF RENDEZVOUS is opened at the sign of the *Federal Eagle*, kept by Mrs. BROADERS, in Fore-street; — where ONE HUNDRED and FIFTY able Seamen, and NINETY-FIVE ordinary Seamen, will have an opportunity of entering into the service of their country for One Year, unless sooner discharged by the President of the United States. — To all able bodied

Seamen, the sum of SEVENTEEN DOLLARS; and to all ORDINARY SEAMEN the sum of TEN DOLLARS per month, will be given; and two months advance will be paid by the Recruiting Officer, if necessary.

None will be allowed to enter this honorable service, but such as are well organized, healthy and robust; and free from scorbutic and consumptive affections.

A glorious opportunity now presents to the brave and hardy Seamen of New-England, to enter the service of their country—to avenge its wrongs—and to protect its rights on the ocean. Those brave Lads, are now invited to repair to the FLAGG of the *Constitution* now flying at the above rendezvous; where they shall be kindly received, handsomely entertained, and may enter into immediate pay.

SAMUEL NICHOLSON,  
*Commander, United States Frigate Constitution.*

At the above rendezvous Lt. Clark of the Marines, will enlist three Sergeants, three Corporals, one Armourer, one Drummer, one Fifer, and fifty privates to compose a company for the Ship *Constitution*. None can be enlisted who are not five feet, six inches high.

BOSTON, MASSACHUSETTS, May 12.

[LC, "Columbian Centinel" (Boston, Mass.), 19 May 1798.]

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To Doctor Gillaspay from Secretary of War

[PHILADELPHIA,]  
War Department, 12<sup>th</sup> May 1798

D<sup>r</sup> GILLASPAY

SIR, I have to request that you will be pleased to inspect the Medicine Chests and Instruments, belonging to the Ships *Ganges* and *Hamburgh Packet*, and report their State.

You will obtain from the Surgeon of the *Ganges* an Estimate of Medicine, Instruments and Hospital Stores for that Ship for three Months. —

[NDA. OSW, Vol. 1.]

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To Alexander Hamilton from Secretary James McHenry

PHILAD. 12 May 1798

MY DEAR HAMILTON. I shall in a short time be able to get to sea, one or two of our frigates, and perhaps in less than six or seven days, Cap<sup>n</sup> Dale, in the *Ganges*, a lately purchased vessel. Can you spare an hour or two to help me to the instructions that it will be proper to give to their Captains. Our ships of war it is probable will meet with French privateers who may be in possession of our merchantment; or with our merchant vessels having French Prize Masters on board; or with French Privateers cruising upon our coast to capture American vessels: They may also when acting as convoys be obliged to employ force to protect their convoy and may even be obliged to board a French ship of war to terminate a contest and insure its safety. What instructions ought to be given to meet such cases, or enable them to afford competent protection to our merchantmen, and preserve the

Executive from any future accusation of having by its orders involved the Country in a war. I foresee these instructions will fall to my lot, there being no chance that we shall have a [word illegible] or relieve me from the responsibility. The President has not mentioned this subject to me, nor any other Gentleman. You will easily conceive how necessary it is I should be assisted with your ideas and a sketch of such instructions as in your opinion will comport with the existing state of things and the profound reserve of Congress.

Your sincere & affectionate friend

JAMES M<sup>C</sup>HENRY

[LC, J. M<sup>C</sup>H. P., Vol. 4, 1797–1798.]

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To Francis DaCosta from Secretary of War

[PHILADELPHIA,]

War Department 16<sup>th</sup> May 1798

M<sup>r</sup> FRANCIS DACOSTA

SIR I have to request that you will be pleased as soon as convenient to examine and prove in the usual manner, the Six eight inch Howitzers lately received from Boston —

I am with respect &c<sup>a</sup>

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

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[17 May 1798]

To Secretary James McHenry from Alexander Hamilton

MY DEAR SIR I have received your letter of the [space] instant. Not having seen the law which provides the *Naval Armament*, I cannot tell whether it gives any new power to the President that is any power whatever with regard to the employment of the Ships. If not, and he is left at the foot of the Constitution, as I understand to be the case, I am not ready to say that he has any other power than merely to employ the Ships as Convoys with authority to *repel* force by *force*, (but not to capture), and to repress hostilities within our waters including a marine league from our coasts —

Any thing beyond this must fall under the idea of *reprisals* & requires the sanction of that Department which is to declare or make war.

In so delicate a case, in one which involves so important a consequence as that of War — my opinion is that no doubtful authority ought to be exercised by the President — but that as different opinions about his power have been expressed in the house of Representatives, and no special power has been given by the law, it will be expedient for him, and his duty, and the true policy of the Conjuncture to come forward by a Message to the two houses of Congress declaring that “*so far and no farther*” he feels himself *confident* of his authority to go in the employment of the naval force; — that as in his opinion the depredations on our trade demand a more extensive protection he has thought it his duty to bring the subject under the review of Congress by a communication of his opinion of his own powers — having no desire to exceed the constitutional limits.

This course will remove all clouds as to what the President will do — will gain him credit for frankness and an unwillingness to sheathe the Constitution — and will return upon Congress the Question in a shape which cannot be eluded.

I presume you will have heard before this reaches you that a French Privateer has made captures at the mouth of our harbour. This is too much humiliation after all that has passed — Our Merchants are very indignant — Our Government very prostrate is the view of every man of energy

Y<sup>rs</sup> truly

A HAMILTON

May 17 — 1798

JAMES M<sup>c</sup>HENRY Esq

[LC, J. M<sup>c</sup>H. P., 1778–1799.]

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To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department 17<sup>th</sup> May 1798

M<sup>r</sup> JOHN HARRIS.

SIR It having been represented that the Iron grape delivered to M<sup>r</sup> Francis for the *Ganges* are of too large a size. I have therefore to request that you would be pleased forthwith to deliver to him an equal quantity in weight of 4 oz: Grape, or as near it as possible, on his returning into Store those already delivered. — M<sup>r</sup> Francis will attend to this business, and afford such assistance as may be necessary. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

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To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department 21<sup>st</sup> May. 1798

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to Lieu<sup>t</sup> Carmick for the Marines on board the Ship of War *Ganges* the following Articles. Viz<sup>t</sup>

1 Serjeants' Coat,	1 Waistcoat.	1 Pantaloen.
2 Music----	d <sup>o</sup> 2 ---d <sup>o</sup> ----	2 ---ditto
21 privates--	d <sup>o</sup> 21 ---d <sup>o</sup> ----	21 ---ditto
48 Shirts —		
26 pairs of shoes		
1 Musket complete.		
1 Bayonet.		
1 Fife and case		
2400 Musket Cartridges.		

And for the Ship's use 5 reams of Musket Cartridge Paper, and 10 quire of Cannon d<sup>o</sup>

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

To Captain Richard Dale, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department. 22 May. 1798.

Cap<sup>t</sup> DALE.

SIR, Although Congress have authorized the arming, equipping and employing a Number of Ships, an evident object of which is the Protection of the Commerce of the United States, yet as Congress possess exclusively the Power to declare War, grant Letters of Marque & Reprisal, and make Rules concerning Captures on Land and Water, and as neither has yet been done, your Operations must accordingly be partial & limited. For the present, you will be governed by the following Instructions, which relate to the Prevention of Violations of our jurisdictional Rights and to Self-defence. —

1. The Jurisdiction of the United States, on our Coast, has been determined to extend One Marine League from our Shores, and to comprehend all our Rivers and Inlets and all the Bays and Sounds, land-locked by the Territory of the United States. If within these Limits, you find any armed Vessel whatever, committing Depredations on our Coast or attacking or having taken, or in the act of pursuing to attack or take any Vessel of the United States, or the Vessel of any Nation whatever, you are to make every Exertion to prevent the Execution of such unlawful Proceedings, and to defend or liberate or retake the Vessel pursued, attacked or captured, and send in the offending Vessel, to some port of the United States, to be delt with according to Law, in such cases. —

2. If on the high Seas, you are attacked by any armed Vessel whatever, you are to defend Yourself to the Utmost. If the Assailant strikes, examine her Papers, and if She has not a regular Commission, and then in force, bring her into some Port of the United States, to be tried as a Pirate. —

3. You will consider your Cruising Ground, till further Orders, to be, between the Capes of Virginia and Long-Island, and will change your Course, from time to Time, so as to afford the best Protection in your power to our jurisdictional Rights, and especially to all Vessels of the United States, in coming in or going off the Coast. —

4. On the twelfth of June, you are if possible to be at the Capes of Delaware, between Cape Henlopen & Cape James — and there to wait for additional Orders from the President.

5. You will engage a Pilot if you think it necessary to remain with you during the Cruise, or 'till the 12<sup>th</sup> of June.

6. You will as often as Opportunities present, transmit a Journal of your Proceedings and such Events as it may be proper to communicate. —

[NDA. OSW, Vol. 1.]

[22 May 1798]

To Lieutenant James Triplett from Captain Thomas Truxtun, U. S. Navy

Lieu<sup>t</sup> James Triplett will be pleas'd to repair to Alexandria, with all the expedition that is possible, and engage as many Seamen and Marines as he can find disposed to enter on board the Frigate *Constellation* under my Command, and to hire a boat and repair to the Ship with them without loss of time — Lieu<sup>t</sup> Triplett will take Cap<sup>t</sup>

Moor an experienced Seaman with him, to assist in this business, the greatest frugality must be observed in all matters of expence, expected to be allowed by the Government, as the Secretary of War will only admit Such charges as he will consider reasonable or proper. A copy of the Articles and blank Oaths of Allegiance &c will be furnished by Lieut. Rodgers, who I have desired to send up a sufficient number from the rendezvous for this purpose a number of men having been put on board a Vessel bound to Alexandria by a french Privateer has induced me, to order you to make this expedition, which I hope and Trust will be attended with Success.

[T. TRUXTUN]

BALTIMORE 22<sup>d</sup> May 1798.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

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To Secretary Benjamin Stoddert from Secretary Pickering

[PHILADELPHIA,]

Department of State, 22 May 1798

BENJAMIN STODDERT Esq<sup>r</sup>

SIR The President of the United States being desirous of availing the public of your Services as Secretary of the Navy, I have now the honor of enclosing the commission and of expressing the Sentiments of respect with which I am, Sir, &c.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 10.]

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To Captain John Barry, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department, May 23<sup>d</sup> 1798

Cap<sup>t</sup> JOHN BARRY

SIR, I request that you would be pleased to have one of your Boats and a Crew in Readiness tomorrow Morning at Ten — oClock to go on Board the *Ganges*. —

[NDA. OSW, Vol. 1.]

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To Secretary Timothy Pickering from Stephen Cathalan, Jr.,  
United States Commercial Agent

MARSEILLES the 24<sup>th</sup> May 1798 —

SIR here Inclosed I have the honour of Remitting you a Copy of my Respects of the 1<sup>st</sup> January Last;

Cap<sup>t</sup> J<sup>r</sup> Freeman of the Brig *Betsey* of Boston, being on his Departure, for Boston, I Embrace this opportunity to advise you — That the Brig of the United States *Sophia*, with Clement Humphreys in her, is arrived the 11<sup>th</sup> Ins<sup>t</sup> at the Port of Havre;

M. Humphreys has wrote me on the 13<sup>th</sup> Ins<sup>t</sup> from Paris, Requesting to Send to havre the distressed Seamen who might be in my District; one only was in this harbour (W<sup>m</sup> hermon) who had volountary Left the american Brig *Independ<sup>t</sup>* at Alicante, & being Destitute, I have shipped him on the Brig *Betsey* Cap<sup>t</sup>

Freeman, in virtue of my order, & to be paid of the Expences & vittles supplied to him during the passage, on his arival, by our Govern<sup>t</sup> according to the law; I have found this, more convenient & less expensive than to send him to havre by Land; I have answered to M. Humphreys yesterday at Paris, & Promised to him, all the Informations he is desiring from me;

Just now I received a Letter from J. C. Mountfloreance Esq<sup>r</sup> dated Paris the 17<sup>th</sup> Ins<sup>t</sup> mentionning me — M. Humphreys Letter of To Day to Go to Gen<sup>l</sup> Pinckney at Lyons where he is still detained by his Daughters health on his Journey to Montpellier; — nothing as yet transpired of the contents of the Dispatches, Tho' it continues to be believed that M. Gerry will Return to america by the above vessel —

I Remit you here Inclosed a list of the american vessels condemned by appeal at the Tribunal of Aix, in Conformity of the arrete of the Directoire executive of the 12<sup>th</sup> Ventose, for want of Proper Rolles of equipage;

Three american vessels are in the harbour, not any others in my District; [2 words illegible] They have Proper Rolles of Equipage & Shipm<sup>t</sup> Paper in the best order.

1<sup>st</sup> The Brig *Betsey* Bearer of this Letter was visited by french Privateer, on his way to this Port; but not Captured, & has always been Free, I hope she will return safe —

2<sup>d</sup> The Ship *Flora* of Gloucester Cap<sup>t</sup> Sil. Calder, from Gloucester, Massachus<sup>t</sup> bound for Leghorn, was captured on the 21<sup>st</sup> January after being Signalized, by a Corsican Privateer and against the order of the French Consul at Leghorn, not to molest this Ship; she arived here; The Consul having advised the Minister of Marine & forcing Relations of this violation, The Minister of Marine has ordered to the Tribunal<sup>e</sup> to Judge this affair in the shortest delay; The Tribunal of Commerce in this Place Judged this Prize to be Illegal, & Restuated [sic] to Cap<sup>n</sup> Calder, under bound in case of appeal, The Privateer appealed at Aix. I have been accepted as bound, and Sold almost all the Cargo, Cap<sup>n</sup> Calder has also appealed to obtain Damages, which were not Granted to him by the first Judgment; This affair which cannot be Lost for us, (Tho' the owner is a Brother of G<sup>o</sup> BuonaP<sup>t</sup>) has been postponed from one Day to another; — however I hope it will be Judged in our favour on the 28<sup>th</sup> Ins<sup>t</sup> which is the day appointed by the Judges.

3<sup>d</sup> The Ship *Eagle* of Marblehead Cap<sup>n</sup> Stephen Sweet, bound for Marseilles was taken and carried into this Port; The Consigners, Cap<sup>t</sup> Sweet of one Side, & the Privateer of the other, after having Pleaded before this Tribunal of Commerce, have compromised, together, & I was called by the Captain to Sign the Transaction, by which Cap<sup>n</sup> Sweet has been Restored in his Ship & Cargo on his Paying to the Privateer the Sum of £ 50 Thousand livres, & the charges & fees of the law suit was 14,000.. —

I cannot Blame this agreement, — considering that not only the Americans, but the Danes, Sweeds, Russians, Genoese &<sup>t</sup> &<sup>t</sup> are almost all condemned, under various motives; and on more than 100 Prizes not Six till now, have been Returned to their owners;

I am not yet Reimbursed for my advances to Cap<sup>n</sup> Smith & crew of the Ship *Fortune*; — I am Deprived of your favours since your Letter of the 27<sup>th</sup> October last; —

Making ardent Wishes that in this Crisis, Peace & harmony may  
be now restored between U. S. & France;

I have the honour to be with Sincere Respect

Sir

Your Most obedient humble & Devoted Servant

STEPHEN CATHALAN Jun<sup>r</sup>

T<sup>hy</sup> PICKERING

*Secretary of State*

*Philadelphia —*

24<sup>th</sup> May

at Three o clock afternoon, The Sloop *Prudence* of Nantukett Cap<sup>n</sup>  
Eliha Russel, Loaded with Whale Bones & Staves, is Just arived in  
this Port. She was bound from Nantuckett, for Genoa & Taken by  
a Corsican Privateer, was of Genoa & carried to that Port; but by  
Judg<sup>mt</sup> of Consul, C. Belleville, of the french Republic released & Free;  
She is come here to sell her Cargo, the Price being not answerable at  
Genoa.

[Enclosure]



[24 May 1798]

*A LIST of the American Vessels Captured by french Privateers & Condemned by the Tribunal of Appeal at Aix*

Ship's Names	Captains	Privateer's Names	Port they have been Carried to,	Condemnation's date, in Aix.
The Brig DISPATCH of Philadelphia.....	Phillip Brown.....	LA ZENODORE, Capt Poule.....	Malaga.....	The 28 <sup>th</sup> of Nivose 6 <sup>th</sup> year 17 <sup>th</sup> of January 1798,
The Ship THREE BROTHERS of Portland.....	Lindal Smith.....	LA ZIZA, Clem <sup>t</sup> Roux.....	d <sup>e</sup> .....	23 <sup>d</sup> Nivose 6 <sup>th</sup> year 12 of January 1798.
The Brig ATALANTA.....	Elnathan Minor.....	LA ZIZA, Clem <sup>t</sup> Roux.....	Carthagenes.....	23 <sup>d</sup> of Nivose 6 <sup>th</sup> year 12 <sup>th</sup> January 1798.
The Ship POLLY, of Salem.....	William Bradshaw.....	LES THERMIDOR.....	Malaga.....	28. Nivose 6 <sup>th</sup> year 17 <sup>th</sup> of January 1798,
The Ship POMONA.....	John Grafts.....	LA REVANCHE & LA ZENODORE, Gibouin & Poule.....	Carthagenes.....	21. Nivose 6 <sup>th</sup> year 10 <sup>th</sup> January 1798,
The Brig TWO FRIENDS.....	Gilbert Howland.....	LES THERMIDOR.....	Malaga.....	27 <sup>th</sup> Nivose 6 <sup>th</sup> year 16 <sup>th</sup> January 1798,
The Brig THELEMACHUS.....	William Plummer.....	LA REVANCHE & LA ZENODORE, Gibouin & Poule.....	Carthagenes.....	21 Nivose 6 <sup>th</sup> year 10. Jan <sup>r</sup> 1798,
The Ship FRIENDSHIP.....	John Proud.....	LA FORTUNE.....	.....	21 Pluviose 6 <sup>th</sup> year 9 <sup>th</sup> January 1798,
The Ship OUTRAM.....	Sam <sup>l</sup> Clarkhill.....	LA COURAGEUSE, Capt Alaise.....	Carthagenes.....	.....
The Schooner ABIGAIL.....	James Atwood.....	LA REVANCHE & LA ZENODORE, Gibouin & Poule.....	d <sup>e</sup> .....	23 Nivose 6 <sup>th</sup> year 12 <sup>th</sup> January 1798,
The Sloop PEGGY of Bristol.....	Henry Leader.....	LES THERMIDOR, Capt.....	Malaga.....	1 <sup>st</sup> Pluviose 6 <sup>th</sup> year 20 <sup>th</sup> January 1798,
The Schooner ORRINGTON.....	Ambrose Atkins.....	LES THERMIDOR & LE CHAUFFEUR, Capt.....	d <sup>e</sup> .....	4 Pluviose 6 <sup>th</sup> year 23 <sup>d</sup> January 1798,
The Ship GOVERNOR MIFFLIN.....	John Dove.....	LA ZENODORE, Capt Poule.....	Cathagenes.....	27. Nivose 6 <sup>th</sup> year 16. January 1798,
The Ship PLATO.....	Andrew Lawrence.....	LA FURET, Capt.....	Almeria.....	24. Ventose 6 <sup>th</sup> yr 14 March 1798.

Two other Vessels, appealed by other houses have been Condemned — also  
 These Vessels were Condemned on the want of Proper Rolles of equipage, in Conformity of the arrete of the Directoire executif, & on other sundry motives stated in their  
 respective Judgments —  
 Chancery of the Consulate of Marseilles the 24<sup>th</sup> May 1798 —

STEPHEN CATHALAN Jun<sup>r</sup>

[SDA. Marseilles, Vol. 1, 1790-1802.]

To Francis DaCosta from Secretary of War

[PHILADELPHIA,]

War Department 24<sup>th</sup> May 1798

M<sup>r</sup> FRANCIS DACOSTA

SIR I have to request that you will be pleased to examine the nine pound cannon belonging to the Ship of War, the *Delaware*, Commanded by Stephen Ducatur Esquire, and prove such of them as you may find suitable for service — The result of the examination and proof you will report to me as soon as possible —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Captain Thomas Truxtun, U. S. Navy, from Secretary of War

Confidential

[PHILADELPHIA,]

War Department. 25<sup>th</sup> May 1798. —

Cap<sup>t</sup> TRUXTUN Balt<sup>o</sup>

SIR, The depredations committed upon the Southern Coast, within our jurisdictional Limits, by armed Vessels; and the exposed and almost defenceless situation of that Part of the Union, render It extremely necessary that it should be succoured, with such naval Force as We have in our Power, and that this should be applied, with as little delay as possible. —

The President has observed with Pleasure, the Exertions, which you have made, and are making, to prepare your Ship for Sea. —

Thinking it likely that you will be disposed, to venture out with the Men, you have engaged, and can pick up, before reaching the Capes; you will put every Thing, in as good order as Circumstances will admit of for sailing immediately after receiving your Orders, which it is possible may be sent you, in a few days. — I send you inclosed an Appointment for a Sail<sup>r</sup> Master, of the *Constellation*; You will select a proper and qualified Character for this Station — and direct the appointment in his Name.

Send me a few copies of your printed Orders. —

[NDA. OSW, Vol. 1.]

To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department 25<sup>th</sup> May 1798

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to Captain Decatur for proving the nine pounders for the Ship of War the *Delaware*, the Articles following, which are to be sent down to M<sup>r</sup> Humphrey's Office. Southwark — Viz<sup>t</sup>—

- 1 Barrel of Powder
- 36 Wads.
- 3 sticks Port fire
- Rammer, Sponge, Ladle & Worm.
- 18 Nine pound shot
- A Searcher with its ring.
- A priming Wire.

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

[25 May, 1798]

Extract of letter, from the supercargo of the Ship *Nonpareil*, dated at  
Wilmington, N. C., 7th June

"Mail just closing, have only time to advise of my safe arrival here, and state briefly, that we sailed from Tortola on the 20th ult. under convoy, and on the 24th parted from the fleet, they too far to the eastward, on the next day in lat. 26, 10, long. 65, 30, was captured by a French privateer out of Guadaloupe, and ordered for Porto Rico, they took out both mates and all the people, the cook, two hands, Capt. Fanning and myself excepted, and put on board two prize masters and fourteen men, finding them very ignorant, except one of the prize masters, (who was an American) I adopted a method to alter their course, on the following plan, first bribing the American prize master, who alone was acquainted with navigation. We privately started some of our water, and made them believe that they would not be able to reach any of the islands for want of water, and persuaded them to bear away for St. Augustine, telling them I was perfectly acquainted with that coast, and that the French frequently carried their prizes there. My intention was to have went into Savannah, but falling to the northward I brought my ship in here, still making the wise believe it was St. Augustine, till I had got them snug into the river. I shall give you further accounts per next post, and ship new crew and proceed on to New York along shore. Yours, &c.

SILAS S. WEBB."

[LC, "Boston Gazette" (Mass.), July 9, 1798.]

To Garrett Holsteincamp, pilot, from Secretary of War

[PHILADELPHIA,]

War Department 26<sup>th</sup> May 1798.

MR GARRETT HOLSTEINCAMP Pilot

SIR You will proceed with your Pilot-Boat immediately to New Castle where you will wait for further orders from the Secretary of War, and hold yourself in readiness to sail, at a moments warning. —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department 26<sup>th</sup> May. 1798

MR JOHN HARRIS

SIR You will deliver to Captain John Barry or his order when called for from time to time, the Articles deposited in the Public Store for the Frigate *United States* agreeably to the annexed Statement.—

I am &c.

Military and other Stores to be delivered to Captain Barry for the Frigate *United States*. —

3000	Round Shot for 24 pounders	
600	Double Headed shot for ditto	
600	Grape with Iron Stools for ditto	
2400	Flannel Cartridge's for ditto	
300	-- Paper ---- ditto for d°	
300	---- d° to make d° for d°	
48	Cartridge Boxes --- for ---- d°	
48	Large Powder Horns for --- d°	
100	Priming Wires for 24 pounders	
80	Boring Bitts ---- for -- ditto	
60	Rammer Heads ----- ditto	
60	Sponge Heads ----- ditto	
60	Wooden Staffes ----- ditto	
30	Ropes for Rammers & Sponges ditto	
30	Ladles for ---- 24 pounders	
60	Worms ----- ditto	
60	Cork and wood Tompions ditto	
30	Linch stocks ----- d°	
	Lead for Aprons. —	
1400	Round Shot for 12 pounders	
280	Double Headed shot for ditto	
280	Grape with Iron Stools for d°	
1120	Flannel Cartridges for --- d°	
300	-- Paper -- ditto -- for -- d°	
300	---- d° to make -- d° for -- d°	
28	Rammer Heads for ----- d°	
28	Sponge Heads for ----- d°	
28	Staves for the above for -- d°	
14	Ladles ----- d°	
24	Cartridge Boxes -- for --- d°	
34	Powder Horns ---- for --- d°	
28	Worms ----- for ----- 12 pounders	
48	Priming Wires ----- for ----- d°	
30	Boring Bitts ----- for ----- d°	
14	Ropes for Rammers & Sponges for ----- d°	
32	Cork and wood Tompions for ----- d°	
2	Tons Lead for Aprons &c	
140	Paper Cartridges for 8 Inch Howitzers	
8	Tompions for ----- ditto	
100	Cutlasses	
76	Boarding Pikes	
100	-- ditto --- Axes	
98	pairs of Pistols	
150	Ships Muskets (complete)	
500	lbs Match Rope.	
8	Copper Measures for filling Powder.	
2	Cooper's Copper Adzes.	
2	Copper screws.	
2	Copper Funnels.	
	Cartouch Boxes for Muskets.	
1000	Flints — assorted. —	
48	Sheep skins for sponges.	
12	Pouch Barrels	
6000	lb. Cannon Powder.	
800	lbs Powder for priming Muskets.	
100	8 inch Shells for Howitzers.	
60	Cannister grape, 8 Inch, ditto	
800	Shot for 6 pound Howitzers	
800	Cannisters of Shot ----- for ----- d°	
1000	Paper Cartridges ----- for ----- d°	

*Ship Chandlery*

- 1 Azimuth Compass.
- 4 Brass-----ditto
- 2 --Wooden-----ditto
- 1 Hanging-----ditto
- 3 spy Glasses.
- 1 Night-----ditto
- 2 Glasses of 2 hours each.
- 6 --ditto of half d°----d°
- 6 Half Minuite Glasses.
- 6 Quarter--ditto--ditto
- 6 Tinder Boxes with Steels.
- 28 lbs Brimstone.
- 3½ Dozen best Pad Locks.
- 6 Ship and 6 Boat skids.
- 4 Copper Pumps.
- 2 Candle Boxes & 14 lb. Cotton wicks.
- 25 Cord Fire wood.
- 600 lb. Tallow Candles.
- 50 lb. Spermaciti --ditto
- 7 Dozen Fish Hooks (assorted)
- 6 pair Grains.
- 6 Harpoons &c
- 2 Dozen Clamps for scrubing the Deck.
- 10 Dozen Brooms.
- 5 Dozen Common Canns.
- 20 Hooks and Thimbles (assorted)
- 20 Thimbles.
- 20 Dozen Staples.
- 20 Rigging Hides.
- 6 Speaking Trumpets.
- 6 Rat Traps.
- 6 Dozen Paint & Hair Brushes.
- 6 Dozen log & Fish lines (assorted)
- 6 Hambro' Lines.
- 6 Quire Log Book Paper.
- 4 Cw<sup>t</sup> Oakum for Stores.
- 10 Barrels of Tar.
- 10 ----ditto----Pitch.
- 10 ----ditto----Turpentine.
- 6 Dipsy Lines. —

Paints

Red  
Black & } Paints.  
Yellow }

Charts

A complete set for America  
Europe  
Asia and  
Africa

*Cabin Furniture*

- 6 Decanters (common)
- 2 Copper Tea Kettles (or Patent)
- 4 Dozen Wine Glasses (common)
- 2 Jappaned Servers
- 3 Dozen Tumblers. (common)
- 2 Wash Hand Basons (Pewter)
- 2 Plate Baskets.
- 4 Tim Funnels.
- 6 Salts.
- 6 Butter Boats.
- 1 Black Jack.
- 2 Tin Pudding Pans for Baking.
- 2 Looking Glasses, sconces &c
- 2 Dozen Diaper Table Cloths.

*Cabin Furniture—Continued*

- 2 Dozen Table spoons
- 2 Dozen Silver Tea ditto
- 1 Soup Ladle.
- 2 Large Turenes
- 2 Small—ditto
- 1 Set of Castors
- 1 Set of China Tea }  
    Equipage complete }
- 4 Tin Boxes for Pepper Flour &c
- 1 Culinder
- 4 Candlesticks Snuffers &c
- 2 Candle Boxes.
- 1 set Curtains
- 1 Coffee Pott
- 1 Chocolate — d<sup>o</sup>
- 2 Ladles. (Iron)
- 2 pair Tormenters
- 1 Cabin Bell. —
- 4 Patent Lamps
- 4 Hair Brushes
- 6 Mops.
- 6 Scrubing Brushes.
- 12 Stew and Sauce pans.
- 2 Iron Potts.
- 2 Frying Pans
- 1 Chaffing Dish
- 1 Grid Iron.
- 2 Carving Knives and forkes —
- 2 Dozen Table Knives
- 2 Dozen — D<sup>o</sup> Forkes
- 2 Dozen Dishes different sizes
- 10 Dozen Flat & Soup Plates
- 3 Dozen Mugs. Quart, pint & half pint Queensware —
- 1 Cheese Toaster.
- 2 Chamber Potts. (Pewter). —

*Hospital Stores, Utensils &c*

- 56 Gallons Molasses
- 256 — ditto — Vinegar
- 4½ — ditto Lemon Juice.
- 20 d<sup>o</sup> French Brandy
- 90 — ditto — Sherry Wine
- 45 — ditto — Port Wine
- 90 — ditto — Low White Wine
- 55 — ditto Porter
- 24 lbs Raisins
- 9 d<sup>o</sup> Tamarinds
- 15 d<sup>o</sup> Tea.
- 36 d<sup>o</sup> Chocolate.
- 112 bls Brown Sugar
- 12 d<sup>o</sup> Sago.
- 110 d<sup>o</sup> Rice
- 9 d<sup>o</sup> Julap
- 45 d<sup>o</sup> Portable Soap
- 12 d<sup>o</sup> Essence of Spruce
- 4½ d<sup>o</sup> Alspice
- 1 d<sup>o</sup> Ginger
- 1 d<sup>o</sup> Mustard
- 3½ d<sup>o</sup> Pepper.
- 182 d<sup>o</sup> Barley.
- 18 d<sup>o</sup> Oatmeal.
- 90 d<sup>o</sup> Linseed Meal
- 2½ Gallons of Oil.
- 24 dozen of Eggs. —

*Utensils*

- 2 Dozen Quart Mugs (of Tin)
- 2 — d<sup>o</sup> pint — d<sup>o</sup> —
- 3 Large Sauce Pans
- 3 Small — d<sup>o</sup>
- 4 Camp Kettles
- 2 — Tea — Ditto
- 4 Tea Potts. (of Tin)
- 2 Dozen Table spoons
- 1 Doz: Tea spoons
- 1 two pound Cannister.
- 1 four pound Sugar Box.
- 6 two Gallon Jugs.
- 2 Bed Pans.
- 2 Urinals. —

*Stationary*

- 1 Slate and Pencils
- 1 Ink Stand
- 1 Day Book
- 1 Book of Memoirs
- 1 Ditto to keep an Account of Hospital stores
- ½ Ream Writing paper
- 200 Quills
- 2 Boxes Wafers
- 3 Papers Ink Powder
- 1 pound of Sand. 1 Small hand Bell.
- 2 Quires of blotting paper
- Candlesticks or Lamp for Cock pit
- 6 Potts or Grates for making fire in y<sup>e</sup> Well &c
- 3 Marine Ventilators
- A Set of Signals and other Colours. —

*Provisions*

- 66248 Pounds of Bread.
- 28392 — ditto Beef
- 28392 —ditto Pork
- 14196 Pints of Peas or Beans
- 9464 — ditto of Rice.
- 7089 pounds of Cheese.
- 18928 — ditto of Potatoes or Turnips
- 9464 — ditto of Salt Fish. —
- 4732 — ditto — Flour
- 3549 — ditto — Molasses
- 33124 pints Rum
- 1183 pounds Butter. —

[NDA, LB. Correspondence when Navy was under War Department, 1795-1798.]

[28 May, 1798]

*Act pertaining to the Navy*

[United States Statutes at Large. Fifth Congress. Sess. II]

AN ACT MORE EFFECTUALLY TO PROTECT THE COMMERCE AND  
COASTS OF THE UNITED STATES

WHEREAS armed vessels sailing under authority or pretence of authority from the Republic of France, have committed depredations on the commerce of the United States, and have recently captured the vessels and property of citizens thereof, on and near the

coasts, in violation of the law of nations, and treaties between the United States and the French nation. **THEREFORE:**

*Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled,* That it shall be lawful for the President of the United States, and he is hereby authorized to instruct and direct the commanders of the armed vessels belonging to the United States to seize, take and bring into any port of the United States, to be proceeded against according to the laws of nations, any such armed vessel which shall have committed or which shall be found hovering on the coasts of the United States, for the purpose of committing depredations on the vessels belonging to citizens thereof; — and also to retake any ship or vessel, of any citizen or citizens of the United States which may have been captured by any such armed vessel.

Approved, May 28, 1798.

[Statute 1, page 561.]

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Instructions to commanders of armed vessels, 28 May 1798

JOHN ADAMS

*President of the United States —*

Instructions to the Commanders of armed Vessels, belonging to the United States, given at Philadelphia, this Twenty Eighth day of May in the Year of our Lord, One thousand seven hundred and Ninety Eight, and in the Twenty second Year of the Independence of the said States: —

WHEREAS, it is declared by an Act of Congress, passed the twenty Eighth day of May, 1798, that armed Vessels, sailing under authority or Pretence of Authority from the French Republic, have committed Depredations on the Commerce of the United States, and have recently captured the Vessels and Property of Citizens thereof; on and near the Coasts, in violation of the Law of Nations, and Treaties between the United States, and the French Nation:

**THEREFORE,** & in Pursuance of the said Act, you are instructed and directed, to seize take and bring into any Port of the United States, to be proceeded against according to the Laws of Nations, any armed Vessel sailing under Authority or Pretence of Authority from the Republic of France, which shall have committed, or which shall be found hovering on the Coasts of the United States, for the purpose of committing Depredations on the Vessels belonging to Citizens thereof; and also to retake any Ship or Vessel of any Citizen or Citizens of the United States, which may have been captured by any such armed Vessel. —

By Command

[NDA. OSW, Vol. I.]



To Captain Richard Dale, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department. 28<sup>th</sup> May 1798.

Cap<sup>t</sup> RICH<sup>d</sup> DALE.

SIR, I have dispatched two Pilot Boats, with the inclosed Instructions, one to the Southward of the Capes of Delaware, the other to the Eastward, to cruise for you on your Station, should you have left the Bay.

I have only to add, that your Zeal, Courage and Prudence, is relied upon, for the most prompt vigorous and effectual Execution of these Instructions, and to wish you, your Officers and Crew, in all of whom I have the utmost Confidence every Thing honorable and fortunate. —

[NDA. OSW, Vol. 1.]

From Secretary of War

[PHILADELPHIA,]

War Department 28<sup>th</sup> May 1798

To Mess<sup>rs</sup> DAN<sup>l</sup> RODNEY Esq<sup>r</sup> HENRY NEALE & M<sup>r</sup> THOMPSON,  
*Deputy Collector Lewis Town*

GENT<sup>ls</sup> I have to request you to be so obliging as to engage on the Account of the United States, a fast sailing Pilot Boat, with a trusty & experienced Commander, to convey the enclosed Instructions to Captain Richard Dale, Commander of the Ship of War, The *Ganges*—Shou'd the *Ganges* not have passed Lewis Town, The Pilot will remain in readiness to convey the dispatch on board, as she passes — You will assure the Pilot you may engage, of a Liberal compensation for the service, his Instructions which are herein enclosed may call upon him to perform —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

Pilot's order from Secretary of War

[PHILADELPHIA,]

War Department May 28<sup>th</sup> 1798

To the Pilot  
engaged to convey  
dispatches from  
Lewis Town to Cap<sup>t</sup>  
R<sup>d</sup> DALE on board  
the Ship *Ganges*

SIR You will immediately proceed in your Pilot Boat from Lewis Town in quest of the Ship of War the *Ganges* commanded by Cap<sup>t</sup> Richard Dale — Should you not find the *Ganges* in the Mouth of Delaware Bay, you will proceed to look for her at Sea, and may expect to find her somewhere within a few leagues of the Shore, between the Bay of Delaware and the Capes of Virginia —

When you have come up with the *Ganges*, you will deliver to Cap<sup>t</sup> Dale, or in case an accident shou'd have happened to him, the Officer then Commanding the Ship, the dispatches herewith delivered to you —

You will charge yourself with such dispatches, as the Commander of the *Ganges* may deliver to you, for the Secretary of War. — The utmost diligence is required of you to find out the *Ganges*, and deliver the dispatches, wherewith you are charged — You will also lose no time, in returning with such, as her Commander may charge you with for the Secretary of War —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

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To Garrett Holsteincamp, Pilot, from Secretary of War

[PHILADELPHIA,]

War department 28<sup>th</sup> May 1798

M<sup>r</sup> GARRETT HOLSTEINCAMP Pilot

SIR You will immediately proceed in your Pilot Boat down the River & Bay of Delaware in quest of the Ship of War, the *Ganges* commanded by Cap<sup>t</sup> Richard Dale

Should you not come up with the *Ganges* in the River, or find her in the Bay — you will proceed to look for her at sea, and may expect to find her somewhere within a few leagues of the Shore, between the Bay of Delaware and long Island — When you have come up with the *Ganges*, you will deliver to Captain Dale, or in case any Accident should have happened to him, to the Officer then commanding the Ship the dispatches herewith delivered to you — You will charge yourself with such dispatches, as the Commander of the *Ganges* may deliver to you for the Secretary of War — The utmost diligence is required of you to find out the *Ganges*, and deliver the dispatches, wherewith you are charged — You will also lose no time in returning with such dipatches as her Commander may charge you with — for the Secretary of War —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

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To Samuel Fisher, express rider, from Secretary of War

[PHILADELPHIA,]

War Department 28<sup>th</sup> May 1798

M<sup>r</sup> SAM<sup>l</sup> FISHER Express Rider

You will proceed with all expedition to Newcastle upon Delaware, where you will enquire for Garrett Holsteincamp a Pilot, who commands a Boat called the *Flying Fish* of Philadelphia.

Should M<sup>r</sup> Holsteincamp not be in New-Castle, he will be found on board his boat, at the Diamond Pier — She will be known by the Danish Flag at Mast head, red with a white cross —

When you have found him you will deliver to him the dispatch you are charged with, directed in his name — You will then without loss of time proceed with expedition to Lewis Town with, and there deliver as directed the other dispatch you are charged with — You will receive Instructions for M<sup>r</sup> Hodgden agent for the Quarter Master General respecting reliefs of Horses —

P. S. If Cap<sup>t</sup> Dale is at New Castle, or near it so that the dispatches can be delivered to him, You not proceed to Lewis Town —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Secretary of State Pickering from Secretary of Navy Stoddert

GEO TOWN 28 May 1798.

SIR I am honored with your letter of the 22<sup>nd</sup> inst — Notifying to me, my appointment to the Office of Secretary of the Navy.

No circumstance would be more grateful to my feelings, than, that the President of the United States, whose Character I have always revered, & which has grown upon me, & his Country, in proportion as it has been developed; should have been induced (no doubt by the partial representation of the virtuous men around him, to some of whom I have been long known) to think so favorably of mine, as to deem me worthy of an appointment so honorable, and at this crises, so important.

I accept the appointment with more sensibility than I can express, but with the determination to discharge to the best of my power, the Duties of it — Tho' not without (I fear) well founded apprehensions, that it will be found, my qualifications have been greatly over-rated.

I have consolation however in the reflexion, that those great & comprehensive minds which stand least in need of indulgence for themselves, are ever most disposed to accord it to others, if the will to act right, be not wanting.

I have the honor to be with great respect & esteem

Sir Y<sup>r</sup> most obed. serv<sup>t</sup>

BEN STODDERT.

TIMOTHY PICKERING Esq. — *Department of State.*

[SDA. Misc. L, Jan-Aug. 1798.]

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To Captain Richard Dale, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

*War Department. 29. May. 1798*

RICH<sup>d</sup> DALE

SIR, It is stated that the Barque *Adriana*, belonging to Phila<sup>a</sup> has lately put into New York, and remains there, waiting a Convoy which has been earnestly solicited from the Government of the United States.

The President, therefore, directs you to repair with the Ship of War, the *Ganges*, under your Command, to Sandy Hook, near the Port of New York, and take under Protection and conduct in Safety, to the utmost of your Power the said Barque *Adriana*, from the Port aforesaid to the Bay of Delaware, after which Service you will proceed according to your former Orders. —

The Concerned in the *Adriana*, will have a Pilot Boat stationed off the Hook to give immediate Notice of your Arrival. —

Inclosed is a Triplicate of your Instructions of the 28<sup>th</sup> Instant. —

[NDA. OSW, Vol. 1.]

To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department 29<sup>th</sup> May 1798

M<sup>r</sup> JOHN HARRIS

SIR You will be pleased to have sent down to M<sup>r</sup> Humphrey's Office, fourteen Nine pound Ball for the use of proving Captain Decatur's Guns. — please to send them this afternoon. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

To the Governor of Massachusetts from the Secretary of War

[PHILADELPHIA,]

War Department 30<sup>th</sup> May 1798

HIS EXCELLENCY THE GOVERNOR OF MASSACHUSETTS

SIR It is extremely desirable, that all the Naval forces the United States can command, should be put into a State of Activity as speedily as possible —

Hitherto and particularly by the failure of a Contract, the Government has found it impracticable, to procure the Cannon requisite for the upper Battery for the Frigate *Constitution* at Boston — It has however lately been stated that there were at Castle-Island, in the Harbour at Boston, nineteen Iron cannon of Caliber to carry Eighteen pound Shot, which from their Length and Weight appear to have been designed for Ships use, and to be improper for the embrazures of Fortifications — That Captain Nicholson has seen and examined these Cannon, and is very desirous to obtain them for his Ship —

By the direction of the President, I have therefore to request of your Excellency a loan of fourteen or Sixteen of the Cannon mentioned, and to offer on the part of the United States, an engagement, either to return the same Guns as soon as others can be provided for the Frigate, or to replace them, with Guns equally good, and in the mean time, if desired, to order the same Number of thirty two pound Cannon from Providence to, and for the defence of, Boston Harbour —

It is presumed that the State of Massachusetts have had balls purposely cast for these 18 pounders, if so, and your Excellency will furnish with the Cannon a suitable Quantity of Shott, the United States will punctually & promptly return an equal quantity. —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798]

To Captain Thomas Truxtun, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department. 30 May, 1798

THO<sup>s</sup> TRUXTUN

SIR, The Number of French Privateers, we have daily Accounts of, upon our Coasts, and the Depredations they are constantly committing, or attempting upon our Trade, renders it extremely desirable, that We should have at sea, as soon as possible, all the Force, which the United States can command. —

I flatter Myself that by the Time this Letter will reach you, you have completed, or so nearly completed your Complement of Men, as to be in a Condition, to enter upon a Cruise; and that the Articles you may still want, or which may not yet have arrived, are not so essentially necessary, as to prove a cause for your detention. If however essential Articles are wanted, and they can be procured where you are, or at Norfolk, without Delay, you are permitted to purchase them, using a sound Discretion, and to draw upon Me for the Amount. — With the same View of avoiding delay, I enclose a Letter to Lieu<sup>t</sup> Triplett, directing him to repair on board, and to put himself under your Orders, until releived by the Lieutenant of Marines appointed to your Ship, who writes Me, he has arrived at Charleston, and is on his way to join you; and also a Letter to join you; and also a Letter to Lieutenant Dyson, to furnish you with as many of his Recruits, as you may want to complete your Establishment of Marines. —

Enclosed are your Instructions, the Result of a late Act of Congress. The President desires Me, to mention to you, his entire Confidence, that you will lose no Opportunity, to distinguish Yourself, and maintain the Rights and honor of your Country. —

You will consider your Cruising Ground, until further Orders, to extend from Cape Henry, to the Extremity of our Southern Limits. You will protect this Extent of Coast, to the utmost of your Power, and in so doing will pay particular Attention to it's exposed Parts, and the principal harbour of South Carolina and of Georgia; and you will also afford all possible Protection, to the Vessels of the United States, coming on or going off the Coast.

Captain Dale's cruising Ground, is between Long-Island, and Cape Henry. —

You will as often as Opportunities present, transmit a Journal of your Proceedings, and such Events or Occurrences, as may be proper to communicate.

All the military and other Stores ordered by you, have been sent forward, except those enumerated in the enclosed List — These with your Cabin Furniture are preparing; but I suppose if they do not soon arrive, you will not think it necessary to wait for Them. I can send them to Charleston, where you may have occasion to call, and will find them. —

For instructions, see Page 69 & 70.—

[NOTE.—Pages 69 and 70 contain Instructions to armed Vessels, dated 28 May 1798.]

Hospital Stores Utensils &c for the Frigate *Constellation*, for three Months — *Requisition* made the 24<sup>th</sup> May. 1798. —

56	Gallons of Molasses.
256	ditto " Vinegar
4½	ditto " Lemon Juice
20	ditto " French Brandy
90	ditto " Sherry Wine
45	ditto " Port Wine
90	ditto " low White Wine
55	ditto " Porter
24	lb. of Raisins.
9	lb. of Tamarinds
15	lb. of Tea
35	lb. of Chocolate
112	lb. of brown Sugar
11	lb. of Sago

110 lb. of Rice  
 9 lb. of Salep  
 45 lb. of Portable Soup  
 18 lb. of Essence of Spruce  
 4½ lb. of Alspice  
 1 d° Ginger  
 7 d° Mustard  
 3½ d° Pepper  
 182 d° Barley  
 18 d° of Oatmeal  
 90 lb of Linseed Meel  
 2½ Gallons Oil  
 24 doz. of Eggs

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Utensils

2 doz. Quart Mugs — of Tin —  
 2 d° Pint d° d°  
 3 large Sauce Pans  
 4 Camp Kettles  
 2 Tea Kettles  
 4 Tea Potts of tin  
 2 doz. Table Spoons  
 1 ditto Tea ditto  
 1 two Pound Tea Canister  
 1 four ditto Sugar Box  
 6 two Gallin Jugs  
 2 Bed Pans  
 2 Urinals

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Stationary

1 Slate & Pencils  
 1 Ink Stand  
 1 day Book  
 2 Books for Memoirs  
 1 d° to keep an acct of Hospital Stores.  
 1½ ream of writing paper  
 200 Quils  
 2 Boxes of Wafers  
 3 Papers of Ink Powder  
 1 Pound of Sand  
 2 Quires Blotting Paper  
 Candlestick or Lamp for Cock-Pit  
 1 small Hand Bill.  
 6 Pots or Grates for making Fires, in the Well &c  
 3 Marine Ventilators  
 12<sup>th</sup> May 1798 — (13 Iron bound kegs of 20 Gallons Each)

*Cabin Furniture. Requisition made the 26<sup>th</sup> of May. 1798. —*

6 Decanturs (common)  
 2 Copper Tea Kettles or patent.  
 4 doz<sup>n</sup> Wine Glasses.  
 2 Japaned Servers  
 3 doz. Tumblers, common  
 2 Wash Hand Basons (pewter)  
 2 Plate Baskets  
 4 Tin Funnels  
 6 Salts  
 6 Butter Boats  
 1 Black Jack  
 2 Tin pudding Pans for Baking.—  
 1 Looking Glass Sconces &c.  
 2 Doz<sup>n</sup> Diaper Table Cloths  
 2 d° Table Spoons

- 2 d° Silver Tea Spoons
- 1 Soup Ladle
- 2 large Tureens
- 2 small ditto
- 1 Set of Castors
- 1 Set China Tea Equipage complete.
- 4 Tin boxes for Pepper Flour &c
- 1 Cullender
- 6 Candlesticks Snuffers &c.
- 2 Candle Boxes.
- 1 Set of Curtains
- 1 Coffee Pot
- 1 Chocolate Pot
- 2 Iron Ladles
- 2 pair Tormentors
- 1 Cabin Bell
- 4 Patent Lamps
- 4 Hair Brushes
- 6 Mops
- 6 Scrubing Brushes.
- 12 Stew & Sauce Pans of different sizes.
- 2 Iron Pots
- 2 Frying Pans
- 1 Chaffing Dish
- 1 Grid Iron
- 2 Carving Knives & Forks
- 2 doz. Table Knives
- 2 doz. Dishes of different sizes.
- 2 doz. Forkes
- 10 doz. Flat & Soup Plates. —
- 3 doz. Mugs — Q<sup>1</sup> P<sup>t</sup> & ½ Pint (Queen's Ware).
- 1 Cheese Toaster. —
- 2 Chamber Pots. —

WANTED, agreeably to the Order from the Secretary of War, issued the 15. Novem<sup>r</sup> 1797. and 15 March 1798 — Viz<sup>t</sup> —

- 19 June. 1797 700 Grape & Cannister Shot, for 24 Pounds.
- “ 300 ditto----- 12 Pounds
- “ 247 Bar Shot----- 24 ditto
- 13. Mar. 1798 200 Cannister Shot for 3 pound Howitzers.
- 19 June 1797 386 round Shot — 12 Pounds

Of the above, the following are ready in Store, and under order to be immediately forwarded. Viz<sup>t</sup>

- 210 Cannisters of Shot for 24 Pounds
- 140 d° “ “ 12 d°
- 152 d° “ “ 3 pound Howitzers
- and 12 Boxes of Candles. —

19. May. 1798 — Complete Set of Signal Flags & Pendants —

[NDA. OSW, Vol. 1.]

To Samuel Hodgdon, indendant of military stores, from Secretary of War

[PHILADELPHIA,]

War Department 30<sup>th</sup> May 1798.

SAM<sup>l</sup> HODGDON Esq<sup>r</sup>

SIR: I have to request that you will be pleased to take order to have two hundred and Sixty Barrels of Cannon and eight Barrels of Musket powder transported from Springfield to the Frigate *Constitution* lying at Boston. —

I have ordered M<sup>r</sup> Harris to deliver to you for transportation to the Frigate *Constellation* laying in the Chesapeak twelve Boxes of Candles,

two hundred & ten 24 pound cannister shot, One hundred & forty 12 pound D<sup>o</sup> and One hundred & fifty two d<sup>o</sup> for small Howitzers. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

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To Lieutenant Dyson from Secretary of War

[PHILADELPHIA,]

War Department, 30<sup>th</sup> May 1798

Lieut<sup>t</sup> DYSON

SIR, Should you be called on by Cap<sup>t</sup> Truxtun, for a few of your Recruits, to complete his Complement of Marines, for the Frigate *Constellation*; you will furnish them from the Men, who offer voluntarily to enter into that Service, for the intended Cruise; making it known to the Men, that they are to return to the Infantry, when the Cruise shall terminate, agreeably to their Engagements, with the United States, and that while borne as Marines on the Pay Rolls of the Ship, they will be entitled to the Pay of Marines. —

[NDA. OSW, Vol. 1.]

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To Captain Samuel Nicholson, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Departm<sup>t</sup> 30. May. 1798

Cap<sup>t</sup> NICHOLSON

SIR In consequence of a Letter from Gen<sup>l</sup> Jackson, and the Impossibility of procuring the 12 Pounders for the Frigate in due Time, I have written to the Governor of the State of Massachusetts, to obtain on Loan, as many of the 12 or 18 Pounders, with a suitable Quantity of Ball, from Castle Island, as you may require for the upper Battery. As soon as you are apprized that these Guns will be loaned, you will select as many of Them as you want, and use all possible Expedition, in getting them mounted and in their proper Places. —

[NDA. OSW, Vol. 1.]

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To Secretary Timothy Pickering from T. Williams

Boston May 31<sup>st</sup> 1798.

RESPECTED SIR, A new Cutter is building at Newbury Port for Government, to carry 14 four pounders, to be named the *Pickering*.— She may be ready for Sea in 50 Days. As she will be an excellent vessel, sufficient in some measure to protect our coast, many people are anxious that a Captain of some reputation and Spirit should have the command of her. To give her to I. [or J] F. W., would be to render her useless. He is old, without enterprize, & has been not a little *tainted* in his politics.—

This Brig, will not be wanted as a mere Revenue Cutter; she will be efficient for more important purposes. Some one ought to have the command of her who can render Some Service towards the protection of our trade, and the annoyance of our enemy. I have not heard any one named more eligible, than a Cap<sup>t</sup> Jonathan Chapman, of this town. He is a respectable, well informed man; a thorough Seaman &



disciplinarian. — As you have been made acquainted with this business, I need not enlarge. —

The manning of our Frigate, I am sorry to observe, has made little progress; owing considerably to the *unpopularity* of the Commander; tho' no one alleges any thing against him that partakes of misconduct in any respect. He is poor — it is his only living. What can be done, I know not. It is to be regretted, that So fine a Ship should lie uselessly at her anchors. —

It is nearly 4 months since I purchased the wet provisions for her — they still remain in a store! In a few days, all her Bread will be ready. No one has orders to receive or deliver. —

Till there is some system — a Department, and proper agents under & dependent on it, I despair of our receiving any benefit, at least, from *this* Frigate. I believe there has been a Scandalous waste of property in building her; owing, I conceive, to the *entire ignorance* in the Agent of all *naval* affairs.

*Economy* of the public money at any time is almost a phenomenon; but where *inattention* was combined with *unskillfulness*, we could not expect a particle of it.

I have heard from my Brother Sam<sup>l</sup>, that he has accepted the Consulship & Agency in London. I calculate that he was there by the middle of March.

Respectfully, I am

Your Neph.

T. WILLIAMS.

[Mass. H. S. Pickering Papers, Vol. 22.]

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To Secretary Timothy Pickering from Stephen Cathalan,  
commercial agent, Marseilles

MARSEILLES the 31<sup>st</sup> May 1798.

SIR, I am, just now, returned from Aix, with Capt<sup>n</sup> Sam<sup>l</sup> Calder & have the pleasure of informing you, That yesterday morning by a Judg<sup>t</sup> of Tribunal of appeal of the department of the Bourges [?] du Rhone.

The appeal interjected by the privateer, The *Patroit* Capt<sup>n</sup> Felix Potestat (a Corsican) has been rejected, the first Judgment of the Tribunal of Commerce returning The Captured Ship, by her, *Flora* of Gloucester to Capt<sup>n</sup> Sam<sup>l</sup> Calder, & cargo, Confirmed The Contra-Appeal of Capt<sup>n</sup> Calder from That Judgment to obtain the heavy damages & Interests, which had not been granted to him, by that Judgment in the first instance — admitted & these damages & Interests, Since the 1<sup>st</sup> Pluviose 20<sup>th</sup> January last That she was taken near of Leghorn, where She was bound to, granted, as well as the *depends*, (law Suits Expenses) & my Guarrantee or bound as the depositary of the proceeds of the Cargo, Concealed in Short, We have Succeeded and obtained all our demands, in spite of all the Evasive reasons of our adverse Lawyer, who at Length despairing of the success of his Cause, desired it to be referred to the Minister of Justice before a judgment Could be rendered.

It is my duty to acknowledge that this Tribunal in issuing this just judgment, has paid a due respect & regard to the principles to the

True Spirit of the french laws, Their Treaties with Tuscany in short to the rights of Nations & neutral Property, without any Kind of Consideration Whatever, moreso, as the owner of the privateer is Cit<sup>en</sup> Lucien Buonaparte, now legislator at the five Hundred, who was doing Every Thing in his power at Paris, to have the Ships & Cargo Condemned or Causing it to be done at aix, he is a brother of the great General Buonaparte.

It is also my duty To Inform you That in this affair of Captain Calder, my Colleague Philip Felichy our Consul at Leghorn did not loose a moment, in Concert with the Governor of Leghorn to apply to the french Consul Kerry and obtain from him his interference, near the privateer & near the french Government for the Violation of the Tuscanish Territory & it is to this interference on the 20<sup>th</sup> last January The moment The *Flora* was Captured & on the proofs of that Violation That This Cause has obtained the full success to our Wishes & to the positive order of the Minister of Marine

I mention you in a peculiar manner the good behaviour of our Consul felichy on this occasion

I Confirm you my last of the 24<sup>th</sup> May 1798, by Capt<sup>n</sup> James freeman — bound for Boston — by which I advised you that Capt<sup>n</sup> Stephen Swett of the american Ship *Eagle* of Marblehead taken and carried here, by a french privateer, Tho' with proper papers & roll' d' Equipage, has Compromised with his privateer, he paying £50000 & the charges, fees, &c of the law-suit amounting to £14000 Thereabouts — A Judgment has been rendered in Conformity, Sina, & this Ship & Cargo is, now, free. I hope she will Sail in 2 or 3 Weeks.

The american Sloop *Prudence* of Nantuckett Capt<sup>n</sup> Elisha Russell, loaded with Whalebones & Staves, is just arrived in this port. She was bound from Nantuckett to Genoa & taken by a Corsican privateer near of Genoa & carried to that port, but by a Judgm<sup>t</sup> from Consul Belleville of the french Republik, released and free; She is come here, to sell his Cargo, the price being not answerable at Genoa.

I have the honour to be with respect

Sir

Your most obd<sup>t</sup> humb. Serv<sup>t</sup>

STEPHEN CATHALAN Jun<sup>r</sup>

TIMOTHY PICKERING Esq<sup>r</sup>

Secretary of State  
Philadelphia.

[SDA. Marseilles, Vol. 1, 1790-1802.]

[31 May 1798]

To Abraham Long, boatswain, from Captain Thomas Truxtun, U. S. Navy

SIR, All Such Articles as have been put under your charge or may hereafter be put under your charge, Such [as] Rigging, Anchors, Cables, blocks and other Boatswains Stores — you will be particularly attentive and keep in repair; and receive Such orders from the Sea Lieutenants and Master, as may be communicated to you by them in person or through a Subordinate Officer by their order. For Such directions as I do not give in writing or in person, is to [illegible] by one of those Gentlemen by my order from time to time.

It is your duty under Such orders as may be issued to direct whatever relates to the Rigging. to observe [illegible] the Masts are properly supported by their Shrouds, Stays[sail] backe stays. So that each may sustain a proportional effort when the Masts are strained by the violence of the wind, or the agitation of the Ship.

You are to take care that the blocks and running ropes are regularly placed, So as to answer the purpose intended, & you are also to take care that the sails are properly fitted, kept in repair handsomely and Securely bent, well furled and reefed when orders are issued for the latter purpose.

It is your duty to Summon the Crew to theirs. to assist in the necessary business of the Ship. and to relieve the watch when it expires, to examine the Condition of the Masts Sails and Rigging; remove what is unfit for Service and Supply what is deficient, and to perform this duty with as little noise as possible.

Your Mates are to assist you, in all the functions of your office; they are to be vigilant in turning up the Watch or all hands as occasion may require; they as well as yourself are to carry and wind a call. Compel a manly exertion in the Crew on all occasions, and to punish (as orders may be given) where it is deemed Necessary — You will keep a regular account of all articles received and expended. Attend Minutely to the rules and regulations issued by the President of the United States, through the Department of the Navy and with those of your Crew, have every article in your department kept in good order and at hand and to direct your Yeoman, not to suffer any of the store apparatus under your Charge to be left lying about the decks or otherwise kept out of place but to keep An Account of all Stores received and expended.—

I am Sir with Respect

Your ob<sup>t</sup> humble Servant

THOMAS TRUXTUN

United States Ship *Constellation* }  
Patuxent River 31 May 1798 }

To ABRAHAM LONG

*Boatswain.*

[HS of Pa. NDA Photostat.]

[31 May 1798]

To James Morgan, gunner, from Captain Truxtun, U. S. Navy

SIR As Gunner of the Frigate *Constellation* under my Command you are now considered in Charge of the Artillery and Ammunition rec<sup>d</sup> on board, and such as may hereafter be received you are to observe that the Cannon are always kept in order, and properly fitted with tackles and other furniture, and to instruct the Seamen &<sup>e</sup> in the use and management of them. You are to keep the Cannon well tom-pioned and putty'd and have every thing prepared agreeable to the instructions I have, and may hereafter issue, so that in a few minutes warning the ship may be ready at any time to go into an Engagement by night or day — The Gunner's Mate and his Yoeman, are to assist you in every part of your duties; they should (particularly his mate's) be as well acquainted with Gunnery and every thing respecting the ordinance and Military Stores as the Gunner himself, their particular

business under the Gunner, is to have everything ready for action in a moment's warning, they should never be at a loss [illegible] where to lay their hands upon any article belonging to the Gunners department; they should be expert in preparing to [illegible] Match Stuff, Grenadoes, and every sort of Combustible [illegible] and in a word, in doing every part of a Gunner's duty [on board] a Ship of War — The Quarter Gunners are to assist in every part of this duty, as keeping the Guns and their Carriages in [illegible] order and duly furnished with whatever is necessary, filling powder into Cartridges, Scaling the Guns, and keeping them always in a condition for Service — You will henceforward be particular in attending to your duty and causing all under you to do the same — The Stowage of the Magazine, Store Room, [illegible] Care and distribution of all the Stores of your department [should] be Minutely attended to In fact Sir the Manner in which Every thing was prepared, when you entred on the functions of your Office, Makes the duty under these and the regulations issued by order of the President (which must also be minutely [adhered] to) very easy for you & those acting with you —

In hopes of seeing great attention and regularity in all your Conduct and a lively expertness on all occasions

I remain Sir with great respect

Your Humble Servant

THOMAS TRUXTUN

United States Ship *Constellation* }  
Patuxent River 31<sup>st</sup> May, 1798. }

To M<sup>r</sup> JAMES MORGAN  
Gunner.

[HS of Pa. NDA photostat.]

[1 June, 1798]

Affidavit of Secretary Timothy Pickering, regarding Flag of Truce Ship  
*Benjamin Franklin*

I Timothy Pickering, Secretary for the Department of State of the United States of America, hereby certify and make known, that the Ship *Benjamin Franklin*, whereof Lloyd Jones, a citizen of the said States, is master, and Francis Breuil, also a citizen thereof, is owner, is employed as a flag of truce by the consul General of the French Republic to the said United States, to transport a number of the citizens of his nation to France: wherefore I request all armed vessels, sailing under the flag of the Said States, and whomsoever else it may concern, to permit the said Ship *Benjamin Franklin*, freely to pursue her intended voyage without giving or suffering to be given to her any let or molestation but on the contrary to afford her every aid and protection of which she may Stand in need: In Faith whereof I have signed these presents and caused my Official Seal to be hereto affixed, at Philadelphia, this first day of June. A. D. 1798, and in the twenty second year of the Independence of the Said States.

TIMOTHY PICKERING.

[L. s.]

[SDA. Dom. L., Vol. 10.]

To Willings & Francis, agents, Philadelphia, from Captain Richard Dale, U. S. Navy

June 1. 1798 —

Mess<sup>rs</sup> WILLINGS & FRANCIS

*At Sea Off Sandy Hook*

GENTLEMEN, I got to sea on Wednesday morning the wind was blowing fresh from the N. E. with rain and thick weather, at any other time, I should not thought of going to sea, but I was anxious to git a sight of the French Privateer, I thought if I could git out before he heard of me, he would not hisitate in comeing long side, when I got out to sea, I was told by a Pilot he went out of Cape May Road the morning I got to sea, the weather was very thick could not sea far, Thursday was a fine day and a good breeze, I fully expected to have had the pleasure of sending up to you, but to my mortification, I could not git sight of him, I was told by a Pilot in the afternoon, that he was a longside of him the day before. The Cap<sup>t</sup> of the Privateer told him that he understood that I was out, if so, it was time for him to be off — Some *Dam rascal* has been giveing him information of my giting out. I am in hopes of finding him yet. the ship sails well from the wind, but not so well by the wind as I expected — I left the Capes of Delaware yesterday at 6 P. M. I expect to be back in a few days — I am a little disapointed in my Seamen. a number that shipt for seamen, is not much better Landsmen — I must make the best of them.

I am Gentlemen,

With much Esteem

Your Ob<sup>t</sup> Servant,

R<sup>d</sup> DALE

9 A. M. Sandy Hook. N. N. W. 3 or 4 leagues.

[HS of Pa. NDA photostat.]

To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department 1<sup>st</sup> June 1798.

M<sup>r</sup> JOHN HARRIS.

SIR Be pleased to deliver to the Order of Captain Decatur for the Ship of War *Delaware* the following Articles.

Viz<sup>t</sup>:

3000 pounds of Gunpowder  
 667 Round Shot for 9 pounders  
 138 Double headed D<sup>o</sup> for D<sup>o</sup>  
 164 --D<sup>o</sup>-- --D<sup>o</sup>-- 6 pounders  
 26 Double Headed D<sup>o</sup> for ditto  
 5000 lbs of Grape for 9 pounders in Cannisters  
 420 lbs of d<sup>o</sup> ----- 6 pounders ----- ditto  
 16 Cartridge Boxes & Belts for Marines  
 800 Blank Cartridges for 9 pounders  
 200 --D<sup>o</sup>-----D<sup>o</sup>----- 6 d<sup>o</sup>  
 100 lbs of Slow Match. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

To Secretary of War James McHenry from Alexander Hamilton

MY DEAR SIR Our citizens are extremely anxious that some further measures for their defence should take place. Do me the favour to inform me confidentially what means are *actually* in the disposition of your department for this purpose when & how they will be applied.

Y<sup>rs</sup> truly

A HAMILTON

June 1, 1798

A Capt *Hacker* formerly of our Navy is desirous of being employed. One or two good men have recommended him to me. It seems however — that he has been heretofore rather Democratic — I barely wish that his pretensions may be fairly but carefully considered & that he may have just chance as he merits

The sooner I hear from you the better

J McHENRY Esq

[LC, J. McH. P., 1778-1799.]

To the Purser's Steward from Captain Thomas Truxtun, U. S. Navy

[2<sup>nd</sup> JUNE 1798.]

I again do desire that you attend minutely to the Act of Congress in Serving the Provisions to the Ship's Company, with this exception only, you are untill further orders to deliver each Man One pound of beef on Wednesdays — No other deviations to be made —

THOMAS TRUXTUN

United States Ship *Constellation*

*Patuxent River 2<sup>d</sup> June 1798*

To the Purser's Steward

*Order of 4<sup>th</sup> June 1798*

To M<sup>r</sup> MORGAN Gunner

Musket Cartriges to be made & filled.....	11. 000
Pistol ditto.....	3. 600
Blunderbuss ditto.....	1. 000
Howitzers ditto.....	300
24 p <sup>d</sup> Cannon Cartriges (8 lb.) of Flannel.....	280
12 p <sup>d</sup> ditto ditto (3 lb.) of ditto.....	100
Cartriges for the Muskets, Pistols, Blunderbuss's and Howitzers must be put in Budge barrels, Seperately, which barrels are to have marked the number of doz <sup>s</sup> Contained therein.—	
28 Cannon Cartriges of 24 lbs. and 10 Cartriges of 12 lbs. are to be filled for Scaling the Guns.— the remainder of the Paper Cartriges must be well dried and put up in dozens, ready to fill in case of Salute's — we shall Salute with only 4 lbs. of powder, fired from the 24 p <sup>d</sup> <sup>rs</sup> but the Cartriges are to Contain 6 lbs. for Scaling the 24 p <sup>d</sup> <sup>rs</sup> and 3 lbs. for Scaling the 12 p <sup>d</sup> <sup>rs</sup> —	

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Captain Thomas Cole from Secretary of War

[PHILADELPHIA,]

War Department 2<sup>d</sup> June 1798.

Cap<sup>t</sup> THOMAS COLE

Superint<sup>d</sup> of Navy Yard. Baltimore

SIR You will be pleased to deliver to the Order of Oliver Wolcott Esquire Secretary of the Treasury, such parts of the materials &c which are deposited in the Navy Yard at Baltimore, as may be by him required for the equipment of the Ship *Adrianna*. — You will be careful to keep a particular account of all articles you may deliver in conformity to this order, and take duplicate receipt, for the same, one of which you are requested to transmit to this Office with the account, when that ship shall be completed. —

I am &c

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

[4 June 1798.]

To John Marshall from Captain Thomas Truxtun, U. S. Navy

SIR Your duty as Master at Arms is to exercise the Crew and teach them the use of Small Arms — To Confine and plant Centinels over the prisoners, and Superintend whatever relates to them during their Confinement—You are to see all lights and fire extinguished according to the regulations except Such as shall be permitted by proper Authority, or under the inspection of Centinels.

It is likewise your duty to attend the Gangway, when any boates arrive along Side, and Search them Carefully, together with their rowers, that no Spirituous liquors may be conveyed into the Ship, Unless by permission of the Commanding Officer — You are to See that the Small Arms be kept in proper order, to visit all vessels coming to, or going from the ship without leave — You are to Acquaint the Officer of the watch with all irregularities in the Ship, which Shall come to your Knowledge — In these Several duties You are to be assisted by the Corporals, who relieve one Another at proper periods —

I expect you will attend Minutely to this duty while on board of the *Constellation* under my Command, by which means You will make your own Situation agreeable and Comfortable to Yourself. —

I am Yours &c

THOMAS TRUXTUN

UNITED STATES SHIP *Constellation*

4<sup>th</sup> June 1798.

To M<sup>r</sup> JOHN MARSHALL.

[HS of Pa. NDA photostat.]

To Mr. William Pennock, Navy Agent, Norfolk, from Captain Thomas Truxtun

[4 JUNE, 1798.]

WILLIAM PENNOCK Esqr.

DEAR SIR M<sup>r</sup> Francis has wrote me that you were to supply certain articles but whether it is expected that you are to furnish the remainder of the Stores or not, I cannot conjecture from his mode of doing business — The articles yet wanting on board, besides such refreshments as are necessary to lay in for the sick are as follows to viz<sup>t</sup>

Bread  
Butter  
Cheese  
Molasses  
Rice  
Pease  
Potatoes  
Flour  
Rum

You will be pleased to inform me whether you have instructions, to furnish the whole of the above articles, and what quantity of each — If you are ordered to furnish the quantity estimated for six months I think it will be best to take one half the bread on board immediately and one third of the other articles, as it will be easy to run into the Roads, every two months to fill up the Water, and to receive this proportion of Stores — Otherwise we shall be too much lumbered for the warm Season, and home station-particularly as we have Six months Beef & Pork on board You will also inform me, whether you are directed to furnish any supplies for those that may be sick or wounded — The Sec<sup>y</sup> of War wrote me a few days ago intimating a desire that I should proceed to sea, as soon as I received my Instructions, but I am totally in the dark as to the above Supplies — The Grape Shot demanded, pursers Cloathing and a variety of other articles are still wanting from Philadelphia —

I have about 260 Men shipt including Officers, and 240 are on board — If Lieutenants Rogers Cowper & Triplett have been fortunate this last Week in getting Seamen. I shall proceed to Sea as Soon as I have the above articles, and receive my Instructions — I expect to get underway from here in a few days, and will receive my Stores as soon as they are sent along side — A Copy of this letter I forward to the Sec<sup>y</sup> of War this day that he may see exactly how I am situated.

I am with respect Yours & C.

United States Ship *Constellation*  
*Patuzent 4 June, 1798 —*

THOMAS TRUXTUN

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Captain Thomas Truxtun, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department. 4 June. 1798.

THO<sup>s</sup> TRUXTUN

SIR, I have the honor to transmit you a List of Articles, shipped on board the Sloop *May-Flower*, for the Frigate *Constellation*, which



I hope may arrive in Safety. They are ordered to Hampton Roads. —

List of Articles on Board the Sloop *May-Flower*, addressed to Captain Truxtun — viz: —

- 10 Boxes of Tallow & Wax Candles. —
- 2 ditto ditto --" Mould. —
- 1 Slate and Pencil.
- 1 Pewter Ink Stand.
- 1 Day Book.
- 1 Memorandum Book.
- 1 Book to keep the Acc<sup>t</sup> of Hospital Stores. —
- 5 Quires of Foolscap Paper. —
- 5 ditto " Letter ditto
- 200 Quills.
- 2 Boxes Wafers.
- 3 Paper Inkstands
- 1 Pound of Black Sand
- 2 Quires Blotting Paper
- 100 Yards of Table Linen
- ½ lb. Scotch Thread
- 18 d° Sago
- 4 lb Jalip
- 6 lb Tapioca
- 12 lb Essence of Spruce
- 252 Cannister Shot — 24 Pd'rs
- 156 ditto 12 d°
- 200 ditto 3 pd Howitzers
- 24 Sailor's
- 24 Pint Cups riveted
- 6 Sauce Pans
- 4 Camp Kettles
- 2 Copper Tea Kettles
- 4 tin Tea Pots
- 24 Iron Spoons
- 12 Tea Spoons
- 2 Tea Canisters
- 2 Pewter Bed Pans
- 2 d° Chamber Pots
- 2 Candlesticks
- 4 Sconces
- 24 Silver Tea Spoons and
- all the Hospital Stores ordered. —

[NDA. OSW, Vol. 1.]

To Robert G. Harper from Captain George Cross

NEW YORK June 4<sup>th</sup> 1798.

SIR I have taken the liberty to request my Friends Mess<sup>rs</sup> Gustavus & H Colhoun of Phi<sup>a</sup> to wait on you for information respecting some papers I have sent them, relative to the Capture & condemnation of the Brig *Fox* & Cargo of Charleston, by the French Pirates. I conceived it necessary the whole of these papers should be lodged in the Secretary's Office to establish the Claim, at a future day. should esteem it a favor of you on their application to put them in the right path, I also Sir from the knowledge you have of me, offer myself as a Candidate for the Command of an Armed Vessel. should any be fitted out by Government for the State of South Carolina. if on enquiry you

find me capable & worthy of the Trust, will be thankful for your Interest.

I am Sir with Respect  
Yours &c

GEO. CROSS.

ROBERT GOODLOE HARPER Esq<sup>r</sup>

[NDA. Area 7, June 4, 1798.]

[5 June, 1798]

Extract of a letter from St. Martin's, regarding capture of the Brig *Active*,  
Captain Simkins

"This will inform you of our being captured and brought into this place. The fate of the brig \* is yet undetermined, but expect the condemnation from Guadaloupe every day. I have not the most distant idea of her being cleared, as there have been nearly 20 condemnations since my arrival here (4 weeks) and not one solitary instance of a vessel cleared (except a Hamburgher and a brig owned by Frenchmen and bound from Guadaloupe to St. Bartholomews). Danes and Swedes share the same fate as Americans.

\*Brig. *Active*, Simkins.

[LC, "Claypoole's American Daily Advertiser" (Phila.), 25 June 1798.]

Presumably to Secretary of War from Stephen Higginson, Navy Agent

Boston, June 6, 1798.

D<sup>r</sup> SIR I received yours of 31 ult<sup>o</sup> & note the contents. it is both unpleasant & injurious to have popular clamours at the appointments & other measures of Government, especially when it is the general opinion that the complaints are well founded; but it is impossible for the Executive to know characters sufficiently to avoid the Evil in many instances. Men readily or easily are drawn in to sign recommendations which they do not approve; but few will venture to join in a representation which goes to criminate or reprove the conduct of those who are already in Office. even those who will join in the clamor, & say severe things at the Corners, will start at the Idea of affixing their names to their own Sentiments openly avowed in their own way. it will not be easy therefore to obtain, perhaps, such a representation as you suggest respecting the Officers of the Frigate; nor shou'd I probably have communicated to you as I did, had not the business I have engaged in given me a natural opening to observe to you somewhat upon the Subject. But having gone so far, I can not hesitate to explain to you farther my own Sentiments. — Cap<sup>t</sup> N: is in my estimation a rough blustering Tar merely, he is a good Seaman probably & is no doubt acquainted with many or most parts of his duty, So far as relates to practical seamanship; but he wants points much more important as a Commander in my view, prudence, judgement & reflection are no traits in his character, nor will he ever improve. his noise & vanity is disgusting to the Sailors; but a belief that he wants courage goes much farther to render him unpopular with them, for Sailors love to have brave Commanders. This opinion or belief

however may not be well founded, I suspect it is not, it may have arisen from another opinion which is indeed often true, that blusterers are not apt to fight. M<sup>r</sup> Cordis the second L<sup>t</sup> is a young man, who possesses none of the requisites, he is deficient in every point, essential to a good Officer, he is said to be intemperate, & he looks like it. — the Surgeon, Read, is the opposite of what he ought to be in Morals, in politics & in his profession. there is not a man in this Town who would trust the life of a dog in his hands. his second, Blake, is of the same cast of character as Read, but not so highly finished. I believe that 19 in 20 of our steady Citizens, who know them would say these characters are correct. if you state the description to M<sup>r</sup> Otis he will probably confirm it. — M<sup>r</sup> Prebble the first L<sup>t</sup> is not here, he is a smart active popular man, judicious & qualified well for his station, or for the first command; but I do not believe he will go in the Ship when he sees his Associates.

I think we can prevail on Men to go in the *Herald* & Cutter that every one will not only approve but respond for. — Chapman I before recommended for the Cutter; & I will in a few days send you a list for both Vessels. — we shall want the general arrangements as well as Officers by the time they can be appointed & sent on. What are to be the Emoluments &c. it is presumed they will be equal in all the Vessels. —

I am glad M<sup>r</sup> Stoddert accepts, if he is a good man for the office he will soon put our Naval Affairs in train to become more respectable. —

In haste I remain respectfully yours &c.

STEPHEN HIGGINSON.

[Mass. HS. Pickering Papers, Vol. 22.]

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To James S. Deblois, purser, from Secretary of War

[PHILADELPHIA,]

War Department. 6 June. 1798.

JAMES S. DEBLOIS

SIR In answer to the several Enquiries contained in your Letter of the 24 Ultimo. I have to observe. 1st. It is determined that the Contract Price, at which the Rations of the Crews of the Ships of War of the United States are furnished at the Ports where the Ships are fitted out, shall be the data to fix the Payment of the Rations to the officers, till such Time, as more regular Rules can be matured and established. —

2nd. The Purser will act till further Orders as Pay Masters to the Officers, Seamen and Marines. Money will be furnished them from time to time for that Purpose. —

3rd. The military and other Stores, will be placed in the keeping of the proper Officers agreeably to the printed Regulations. —

4th. The Officer of Marines will be charged with the keeping of the Marine Arms Accoutrements and Clothing. If at any Time, Slops are required of the Purser for the Marines, the Persons requiring Them, will be charged with the Amount, and the same deducted from their Pay in the succeeding Pay Roll. —

5th. The Captain will designate to each Officer his proper Cabin. —

6th. The Stationary for the Ships Use, will be furnished by the Purser under order from the Captain, as directed in other Cases. —

[NDA. OSW, Vol. 1.]

To Secretary of State from Captain Timothy Newman

BOSTON June 7<sup>th</sup> 1798.

SIR, I can inform you of my safe Arrival at this place, with my Crew, I have but this moment got up to town from Nantaskett Roads, where I left the Ship in which I came Passenger. (The *Sarah* Cap<sup>t</sup> Hopkins) in order to forward your Dispatches by this Mornings Post, The *Crescent* was very Joyfully Recieved and a very fine Ship. The Post going out in a few minutes will not admit of my being so Particular as I could wish. Nothing very Particular turn'd up on our very long passage of 90 days from Algiers, Except our falling in and Exchangeing a few Shott with a French Privateer Cutter near the Island of Madeira, She fired several Shott at us under English Colours, which our being very certain she was French, we Returnd & proved to our Satisfaction, it being calm and her Companion, (in sight) not being able to come to her assistance proved favourable to us. The English Consul at Madeira sent off Three Boats to our Assistance, and to inform us they were Two French Privateers, In your Dispatches from Algeirs and Gibraltar you will be informed of the disagreeable State of our Commerce in the Medeteranian, and the Necessity of some force to protect it

Not knowing wheither any Provision is made here for paying the *Crescents* Porterage Bill, I am to se General Jackson (in one Hour) on that subject, and shall give you Information.

As soon as the People are paid off shall proceed to Newbury, and shall then send you on the Porterage Bill Receipts &c

Haveing an ardent desire of Serveing my Country which at great Expencc has Releived me from Slavery, and heareing their is a Number of Sloops of War, prepairing to protect our Commerce, I would willingly devout the Remainder of my life in its Service, your Informing me wheither those Vessells Commanders is appointed, and your Intrest in pointing out to me the most proper method to make Application will be Acknowledgd with Gratitude, Should esteem it a favour if you will write me a line. —

I am Sir with the Greatest Respect

Your Obed<sup>t</sup> Serv<sup>t</sup>

TIMOTHY NEWMAN

[SDA. Algiers, Vol. 3, 1798.]

[7 June 1798.]

Order issued by Captain Truxtun, U. S. Frigate *Constellation*

In the River Patuxent Single Anchor

There are to be four Watches for the present  
to Viz

1 <sup>st</sup>	2 Midshipmen 1 Masters Mate 1 Quarter Master 1 Boatswain Mate	} thirty Seamen & ordinary &c
2 <sup>nd</sup>	2 Midshipmen 1 Masters Mate 1 Boatswain " 1 Quarter Master	
3 <sup>rd</sup>	2 Midshipmen 1 Masters Mate 1 Quarter Master 1 Carpenters Mate	
4 <sup>th</sup>	2 Midshipmen 1 Coxswain 1 Quarter Master 1 Carpenters Mate	
		} Ditto — do.
		} Ditto ditto
		} ditto ditto

The Marines with a Corporal to Stand Guard as usual The Quarter Master's will attend Glass on Quarter Deck &c — Pilot to be Called on any Change & I am to be informed of any particular occurrence — — —

THOMAS TRUXTUN

UNITED STATES SHIP *Constellation*7<sup>th</sup> June 1798 —

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

Presumably to Secretary of War from Stephen Higginson, Navy Agent

BOSTON June 11, 1798.

D. SIR There is now a better prospect of the Frigate being manned, Several parties of Sailors having been obtained in the out posts, it is said She has near 200 Men on board. — M<sup>r</sup> Beals who is appointed 3<sup>d</sup> L<sup>t</sup> is a smart young man, & will be a good Officer, he & Prebble, if he goes, will animate the rest, and give some efficiency. I have as yet heard nothing from M<sup>r</sup> Wolcott respecting Cap<sup>t</sup> Chapman & the other Officers for the Cutter, nor whether the mode of appointing for her & the *Herald* will be adopted; but in my view it is the only safe way, at least it is the surest to have men who will harmonize, & it will tend in the outset to facilitate the dispatch of the Vessels. it will also relieve the President from teasing applications, & will give more influence & respectability to the Captains. — we want also the general Arrangements for the Service as to Men, Marines, rations, regulations, &c &c, we shall wait I fear for Commissions &c — by a late arrival from Nantes we learn that M<sup>r</sup> Marshal was there and M<sup>r</sup> Pinckney was daily expected when they were to sail for Alexandria in a Ship taken up for them. M<sup>r</sup> Gerry was to remain in Paris longer & will have a trying time of it. it will appear that our fears of embarrassment from the peculiar habits &c of this last were not without foundation. —

With much Sincerity, I am yours &amp;c

STEPHEN HIGGINSON.

To Captain Edward Miller from Secretary of War

[PHILADELPHIA,]

War Department 11<sup>th</sup> June 1798

Cap<sup>t</sup> EDW<sup>d</sup> MILLER

SIR The Ship of War the *Delaware* (late *Hamburg Packet*) is nearly completed, her quantity of Men except only Marines are Stated to be engaged

It is indispensable that this Ship should proceed to sea immediately for the protection of the Commerce and Coasts of the United States — You will propose to the recruits under your command to offer themselves to serve on board the *Delaware*, as Marines for a short cruise, and may assure them, that if the number wanted, will voluntarily offer, they shall have their pay during this service, made equal to, Viz<sup>t</sup> — Sergeant 9, Corporal 8, Musician 7, and private 6 D<sup>s</sup> per Month

You will make this proposition forthwith, to your men, and report the issue to the Secretary for the Department of War —

It is to be understood that the men, when no longer wanted on board the *Delaware*, are to return to the Infantry service under their former engagement —

I am Sir respectfully &c<sup>a</sup>

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Captain Richard Dale, U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department. 11 June. 1798.

RICH<sup>d</sup> DALE.

SIR, The Intention of requiring you by your Instructions of the 22<sup>d</sup> May ultimo with the Ship *Ganges* under your command, to repair to a Station between Cape Henlopen and Cape James by the 12<sup>th</sup> instant, was, that you might receive additional Instructions, in case any Law which might be enacted by Congress should make it necessary. —

Instructions of the 28<sup>th</sup> May additional to Them of the 22<sup>d</sup> have been forwarded, and received by you — and as no new Law, or Change of Circumstances known to the President, make it necessary to add to these — You will not, if arrived at the Station mentioned, delay there but proceed (as I confidently flatter Myself) under your former Instructions, to act successfully and honorably. —

The last Letter I had the Pleasure to receive from you, as under the date of the 2<sup>d</sup> instant off Sandy-Hook. — It is thought advisable to send this by a Pilot-boat. —

It is confidently stated, in a Letter from the Eastward, that there is a Twenty Gun Ship of War directly from France on the Coast. — that She had made some Prizes, and that She said there were Five others of the same size to follow her, destined for our Coast. —

Captain Truxtun has received his orders, & I flatter Myself will soon be on his Cruising Ground, which is from Cape Henry, as far as the Southern Limits of our Coast. —

I expect the Secretary of the Navy here today or Tomorrow & am &c.

[NDA. OSW, Vol. 1.]

To Tench Francis, Purveyor, from Secretary of State

[PHILADELPHIA,]  
Department of State 12 June 1798.

TENCH FRANCIS Esq<sup>r</sup>

SIR, I request you to inform me, whether a vessel can be loaded with stores for Algiers, in season to avail of the convoy of the armed Schooners about to depart for that place. Capt Tew's vessel is at Boston and may, if necessary, be employed for that object. Perhaps you have others in view. The convoy should not be lost if practicable to avoid it. I am, sir, &c

TIMOTHY PICKERING.

[SDA. Dom. L., Vol. 10.]

Presumably to Secretary of War from Stephen Higginson

BOSTON June 12. 1798

D SIR Your letter of the 7th instant I this day received, & note what you say as to Cap<sup>t</sup> Nicholson & his Ship &c. my last will have informed you that he is making much more progress in manning his Ship than was expected, he has now near 200 on board, & more are expected from the out posts, but the Ship has not Officers to give her a fair chance if She can be got to Sea, which I begin to think may take place. Cap<sup>t</sup> N: is not intemperate that I have either seen or heard of, he has exerted himself all he could to man & get out the Ship. his defects are more natural than acquired, they consist in want of natural talents rather than vicious habits; he is neither a Gentleman, nor a popular man with the Sailors, as some rough men are; but I know of no criminal conduct or neglect, nor such a gross incapacity as would justify perhaps a dismissal from Office in the public opinion. But I really wish he & some others of our old Naval Officers had never been appointed. it was natural for M<sup>r</sup> Washingtons Eye to be upon them at first; but our Navy in the revolutionary war was a bad school to educate good Officers in. — I believe that the characters I sketched to you in a former Letter will give a correct view of the Officers of the Frigate here. Prebble & Beals are the only men belonging to her, who appear to have any talents for the Navy; & I should tremble for the issue should She meet a french Cruiser of equal force, though I am sure we have a great national superiority over them for naval operations.

As to the Cutter & the *Herald*, I have this day written freely to M<sup>r</sup> Wolcott about the appointments for them; and I am confirmed in the belief that the Service cannot be promoted by them, unless they are officered in the way & by the men which I have mentioned. it is a wrong & a dangerous Idea, that Ships are to be provided for Men, to keep them in pay & give them a living. on the contrary Men are to be sought for & appointed to the Ships who will render them useful & efficacious. — I hope however that appointments will soon be made for those Vessels, or the Captains allowed to select their Officers for appointment, as we shall soon want all the Arrangements for dispatching them on a Cruise, every day lost is or may be important to our Commerce. —

No Letters have been received from M<sup>r</sup> Wolcott requesting the Opinions of certain men as to Cap<sup>t</sup> Nicholson, they may not perhaps be necessary; but if they do come you must not expect explicit answers from all the names mentioned, decision does not mark every mans character, still less such kind of responsibility as the appeal will appear to involve. it is invidious; it is inconvenient, & sometimes it will incur difficulty to give explicit opinions upon such questions, which few men will care to hazard. —

Cap<sup>t</sup> Sever has not had much experience in a naval war, he has seen very little actual Service; but he is supposed to possess all the requisites to form a very good Officer, such as Spirit, Judgement, prudence, firmness & sense of character which urges to great & brilliant actions; & with these points a man soon becomes very eminent even in naval Combat, of which our late War gave us many proofs. — Sever has a man ready to go as his first L<sup>t</sup> who has seen Service in our late War, & is considered as eminent in every respect; indeed the *Herald* will be as well appointed as any Vessel need be, if the list prepared will be accepted. —

Chapman has been two years in the british Navy, is well versed in the practical parts of Naval operations, & has all the requisites to make an excellent Officer. —

I am glad to find that Congress continue rising, they must keep on & adopt M<sup>r</sup> Fosters motion for open War, it is the path of safety & honour, & notning short of it will save our Country from being revolutionized. —

Wishing your labours may produce the good intended to our Country, I remain respectfully your hum. Serv.

STEPHEN HIGGINSON.

[Mass. HS. Pickering Papers, Vol. 22.]

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To Messrs. Willings & Francis, agents, Philadelphia, from Secretary of War

*War Department 12<sup>th</sup> June 1798*

Mess<sup>rs</sup> WILLINGS & FRANCIS

GENT<sup>ls</sup> Cap<sup>t</sup> Dale with the *Ganges* Ship of War has been ordered to be on the 12<sup>th</sup> Instant at a Station between Cape Henlopen, and Cape James — Will you be so obliging as to employ a pilot Boat, with a prudent Master to convey to him the enclosed letter, and instruct the Master accordingly —

I have the honor to be

Gent<sup>ls</sup> with great respect &c<sup>s</sup>.

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

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To Captain Timothy Newman from Secretary Timothy Pickering

DEPARTMENT OF STATE *June 13, 1798.*

Captain TIMOTHY NEWMAN *Boston*

SIR, I rec<sup>d</sup> yesterday your letter advising of the return of yourself and the crew of the *Crescent* to Boston. Captain Thompson who



lately left Philadelphia for Portsmouth, carried with him my orders to pay your portage bill. I hope he has left notice of it at Boston, that you may all be promptly paid.

I am, Sir, &c.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 10.]

To Josiah Parker from Secretary Timothy Pickering

DEPARTMENT OF STATE, June 13<sup>th</sup> 1798.

JOSIAH PARKER Esqr

SIR, Agreeably to your request, I have the honor to inform you, that in August 1797, the United States Brigantine *Sophia* was sent to the West Indies, to collect and bring home such American Seamen, as should be found destitute of the means of returning. She visited Guadeloupe, Porto Rico, S<sup>t</sup> Domingo and Cuba: but found such destitute seamen only at Porto Rico, from which she brought upwards of ninety to S<sup>t</sup> Domingo, where many American vessels wanting hands, they were distributed among them; four only being brought home in the *Sophia*. A severe and dangerous Sickness of the Captain of the *Sophia* caused some detention, so that she did not get home until the latter end of December: and this mode of relieving our Seamen proved very expensive.

Lately two vessels arrived at Philadelphia from Porto Rico, and each brought as many American Seamen (about Sixty in all) as were willing to return: for many declined the invitation; *chusing rather to enter on board French privateers*. A son of Col<sup>l</sup> Talbot returned in one of those vessels from Porto Rico, having gone thither from Guadeloupe, I enquired into the situation of American Seamen, at that Island; and found that all had frequent opportunities of returning home.

Upon the whole, I do not think any further provisions are necessary to be made by Law to enable the President to afford relief to American seamen left in foreign countries, upon the principles of the act for the aid and protection of American Seamen. I have thought it my duty to offer some pecuniary aid to the Seamen, who are lately brought to Philadelphia from Porto Rico, as above mentioned to enable them to travel to their respective homes in other States. Perhaps it may be expedient to encourage all American vessels to receive on board any American seamen, destitute of the means of returning by advertising a compensation of a certain sum per man. This is a thought, which has just occurred, but which I will submit to the President. Another suggestion I beg leave to make, that an Act Should be made limiting the times within which all American Seamen on board of any privateers of the belligerent powers should abandon them and return into the Service of their country, or be subjected to proper and adequate penalties: this act to operate as an amnesty for past offences. I am very respectfully &c.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 10.]

Building of Revenue Cutter *Eagle* by William and Abra Brown

JUNE 13. 1798.

SIR Please to pay William & Abra Brown One thousand dollars, and charge to their a/c for Building the Revenue Cutter *Eagle* for the Georgia Station

JOSHUA HUMPHREYS

Sharp Delany Esquire Collector of }  
the Port of Philadelphia — }

Received June 13, 1798 from Sharp Delany Collector One thousand Dollars being on acc<sup>t</sup> of building the Revenue Cutter *Eagle* for the Georgia Station.

W<sup>m</sup> & ABRA BROWN

[GAO, No. 11381.]

To Captain John Barry, U. S. Navy, from Lieutenant David Ross

CHESTER June 13<sup>th</sup> 1798.

SIR The sloop with the Powder and Stores arrived on Evening of the 12<sup>th</sup> ins<sup>t</sup> this Morning discharged her. you will be pleased to excuse me not sending a list of the Crew, as [torn space mutilating one word] have been Employ<sup>d</sup> — the water is all filled — the ship draws 20 feet 11 Inches abft and 18 feet 8 Inches froward. the Pilot request you not to send aney more Stores on board untill we get as low as New Castle — the officer is all well we have 12 of the Ship Company in the doctor list

I Remain Sir your  
Humb<sup>l</sup> S<sup>t</sup> at Command

D[AVID] ROSS

Commodore BARRY  
Philadelphia

[NYPL.]

To John Fitzgerald from Secretary T. Pickering

PHILAD<sup>a</sup> June 14<sup>th</sup> 1798

Col<sup>o</sup> JOHN FITZGERALD }  
Collector of the Port of Alex<sup>a</sup> }

SIR The Secretary of War being absent, I am charged by the President of the United States with the Business of that department, which occasions this address to you — Yesterday were laid before me Two Letters from Lieut<sup>t</sup> James Triplett of the Corps of Artillery with an estimate of 682 Dollars, on account of the advanced wages, bounties and expences for enlisting a number of Seamen & Marines for the *Constitution* [*Constellation*] Frigate, Cap<sup>t</sup> Truxton — It was too late to go thro' the ordinary process of remitting money, and as Lieutenant Triplett is waiting only for that, to discharge a variety of demands at Alexandria — and as I apprehend Cap<sup>t</sup> Truxton will be waiting for him at Hampton Roads, and incur some delay even with the utmost dispatch that Lieut<sup>t</sup> Triplett can make — I have to request that you will advance to him seven hundred Dollars for the purpose above mentioned, taking duplicate Receipt — By tomorrow's Post, I will reimburse to you that sum —



CAPTAIN JOHN BARRY, U. S. NAVY.



Cap<sup>t</sup> Truxton wrote on the 10<sup>th</sup> Instant, that he should go down the Bay, and be ready to put to Sea by next Sunday or Monday, and I was extremely unwilling that the Frigate should be delayed for want of this small sum, or that she should go to sea without an officer to command her marines —

I am with great respect &c<sup>a</sup>

T. PICKERING

[NDA, LB. Correspondence when Navy was under War Department, 1790-1798.]

To Captain Thomas Truxton, U. S. Navy, from Secretary Timothy Pickering in  
absence of Secretary of War

PHILA<sup>a</sup> June 14<sup>th</sup> 1798.

THO<sup>s</sup> TRUXTON

DR SIR, The Secretary of War being absent. the President has charged me [T. Pickering] with the Business of that Department for a few days. Yesterday I saw two Letters from Lieut<sup>t</sup> Triplett, calling for Money to discharge various Demands, incurred by him at Alexandria, for inlisting Seamen & Marines, for your Frigate, & sending them on board: but it was now too late to remit the money in the ordinary Way by this day's Mail: I have therefore written to my friend Col<sup>o</sup> Fitzgerald, Collector of the Port, to advance to Lieut<sup>t</sup> Triplett, seven hundred dollars: his estimate was 682. I hope there will be no difficulty in the Way of this Advance, as I have engaged to remit by tomorrow's Mail the 700\$ to Col<sup>o</sup> Fitzgerald. I have also written to Lieut<sup>t</sup> Triplett to pay or make Arrangements to pay the above Demands, and to hasten to join you in Hampton Roads, agreeably to your Orders, informing him that I had seen your Letter of the 10<sup>th</sup> in which you say, that you should proceed to Hampton Roads, & be ready to put to Sea by Sunday or Monday; & therefore, if he made any delay, you would go to Sea without him. —

[NDA. OSW, Vol. 1.]

To Lieutenant of Marines James Triplett from Secretary Timothy Pickering in  
absence of Secretary of War

PHILAD<sup>a</sup> June 14<sup>th</sup> 1798

Lieut<sup>t</sup> JA<sup>s</sup> TRIPLETT

SIR, Yesterday were shewn to me [T. Pickering] your Letters, of the 3<sup>rd</sup> & 10<sup>th</sup> Instant, but too late to go through the ordinary Process of remitting Money. In the former, you inclosed an Estimate of Demands incumbent on you to discharge, amounting to 682 dollars, besides some Expences for Captain Moore. I have also seen Captain Truxton's Letter of the 10<sup>th</sup> informing that he should proceed down the Bay, and be ready to go out to Sea by Sunday or Monday next, the 17<sup>th</sup> or 18<sup>th</sup> Ins<sup>t</sup>. Hence it follows, that he will be detained on your Account, or proceed — to Sea without you. To prevent, as far as possible, the former, I have concluded to desire Col<sup>o</sup> Fitzgerald, Collector of the Port of Alexandria, to advance to you seven hundred Dollars, which I will replace in his hands by Tomorrow's Post — You will therefore, call on him immediately for the Purpose. — pay,

or make an adequate Arrangement for paying the demands, above referred to — and hasten to Hampton to embark, agreeably to Captain Truxtun's orders. — The Secretary of War, being absent, I am charged by the President with the business of his Office. —

[NDA. OSW, Vol. 1.]

To Joshua Humphreys, naval constructor, and Captain Thomas Thompson from  
Secretary of War

[After 14 JUNE 1798]

To M<sup>r</sup> JOSHUA HUMPHREYS and CAPT<sup>n</sup> THO<sup>s</sup> THOMPSON

You will be pleased, with all convenient speed to repair to Baltimore in the State of Maryland and there examine such vessels, as can be furnished, and appear calculated to carry from 16 to 22 Guns — Six nines & 12 pounds

The ———— belonging to M<sup>r</sup> Barton has been offered for the public — I have also been informed that there is one belonging to M<sup>r</sup> Lorman just from the West Indies, which may be obtained

You will ascertain and report the age of each vessel, The exact state of her Hull, Timbers, Masts Rigging, Sails, and every other particular by which a Judgment can be formed of her value, as well as her qualities, and fitness for the purposes for which they are wanted — You will state the alterations, repairs, and articles which she will require to fit her for Sea, the time in which she can be so fitted, and an estimate of the Expense —

You will also obtain from the owner of each vessel the lowest price at which they will part with them to the Government. —

It will be proper to keep an account of Your Expences, that the same may be settled for in the usual manner —

[NDA, LB. Correspondence when Navy was under War Department, 1790–1798.]

To Captain Stephen Decatur (senior), U. S. Navy, from Secretary of War

[PHILADELPHIA,]

War Department. 15 June, 1798.

Cap<sup>t</sup> S. DECATUR

SIR The Ship *Delaware*, heretofore called the "*Hamburgh Packet*" now in the Port of Philadelphia, being purchased on account of the United States, and intended to be equipped and employed as a Vessel of War. —

I am directed by the President to order you, as a Captain in the Navy of the United States, to repair forthwith on board and take the Command of said Ship. —

You will use your Exertions to get the Ship as soon as possible, ready for Sea; and direct only such Improvements and Alterations to be made in her, as will not incur great Expence, or occasion a long detention.

She is to be completely equipped for a Cruise of three Months.—

You will furnish the Names of such Persons, as you may think qualified for the following Appointments respectively.—

- 1 Lieutenant.
- 1 Surgeon
- 1 Purser
- 1 Sailing Master
- 2 Mid Shipmen
- 1 Boatswain
- 1 Gunner.
- 1 Carpenter
- 1 Sailmaker.

The Lieutenant when appointed will act as Lieutenant of Marines, and will immediately proceed to enlist Eleven Privates, One Serjeant, one Corporal and Two Musicians, to serve as Marines in the Navy of the United States, for the term of Twelve Months, unless sooner discharged. You will transmit to him the annexed Regulations for the Government of his Proceedings. —

You will cause such of your Officers, as may appear best calculated for the Business, to open houses of Rendezvous in proper Places, and exert Themselves to engage Seventy able Seamen and Thirty five ordinary Seamen for the aforesaid term of Service. —

The pay of the able Seamen to be seventeen dollars; and that of ordinary Seamen, Ten dollars per Month. —

It is directed that none other than healthy robust and well organized Men, be enlisted or entered. To this End, you will cause the Surgeon to attend at the place or Places of Rendezvous to examine each Sailor and Marine, and certify to the recruiting officer, that they are well organized, healthy and free from scorbutic or consumptive affections, before he engages Them. If Wages are paid to any without such Certificate, it will (be) at the Risk of the Officer paying It. —

The officer at each Rendezvous will make a Return of the Number of Seamen and Marines recruited or engaged each day, stating therein the Number delivered over to the Ship, and transmit the same to the Captain, and a Duplicate to the Secretary of War. —

The Officer of each Rendezvous, on the Desertion of a Seaman or Marine, besides the usual Exertions and Means to be employed on such occasions to recover and apprehend Them, will transmit as soon as possible, a description of Them to the Secretary of War. —

The Purser, until further orders, will act as Paymaster to the Officers and Crew and will receive from Time to Time Money to make Payments. —

Marines are to be advanced Two dollars each out of their first Month's Pay. —

As soon as you give Notice of the Places of Rendezvous and the Names of the Officers who will have Charge of them, a sufficient sum will be remitted to the Purser, to be paid over occasionally to Them to promote the recruiting Service. The officers receiving the Money will be held accountable for it's faithful Application, and must produce at the Accountant's Office, proper Vouchers for it's Expenditure.

The Names of the Marines, and Seamen are to be entered Alphabetically in the Muster & Pay Rolls, and the Men to be mustered

while in Port, by a qualified Person, whose Certificate as well as your's, is to be attached to the Muster Roll.

You will be pleased to make out an Inventory of and Receipt for, on behalf of the United States all military Stores and Ammunition, including Arms and Cannon, Tackle, Apparel, all other Stores and Articles of Equipment Provisions &c. comprized in the Purchase of the Ship and delivered to you; a duplicate of which Inventory and Receipts you will transmit to the Secretary for the department of War.

You will make out, and return as aforesaid, a List of all Warlike Stores, Articles of Equipment &c that may be wanted in addition to what shall be delivered to you; in order that the same may be procured as speedily as possible.—

[NDA. OSW, Vol. 1.]

To Charles Biddle from Captain Thomas Truxtun, U. S. Navy

UNITED STATES SHIP *Constellation*  
Off *Rappahanock* 15<sup>th</sup> June 1798

DEAR SIR I am now on my way down the Chesapeake, having 300 men on board, the remaining thirteen which will complete my Crew, by Act of Congress, I shall receive, as soon as I arrive in the Roads. (Point Comfort) —

Altho' my Compliment will be Complete as to Numbers, we shall have too few Seamen, and too many ordinary among them.—

War is Certain, and perhaps with you the business is conclusive, I only hear from Philadelp<sup>a</sup> about once a fortnight, of course every thing is stale with you when it is new to me. —

I am directed to send in all French Cruizers Only, but should I meet a fat Merchantman, or a Neutral Covering French property, it will seem hard to let such pass. —

Before this reaches you, I shall be on the Coast, and I hope soon to pay my respects to some of the piratical Junto Should a French Man Commanding one of those fall in my way I must consider him simply as a prisoner of War, but an *American* or *Englishman* otherwise.

I find by some papers sent me from Baltimore, that the British have Actually left Port au Prince, and the Post's they held in that Neighbourhood — If this be True and it seems pretty strait — they should employ that Army in taking possession of the Florida's — I would secure to them an uninterrupted passage up the Mississippi, and to us they would be better Neighbours than the French, who will otherwise oblige the Spaniards to put them in possession of those two Provinces. —

Altho' the British failed in their attack on Portorica, it was owing to bad arrangements and worse management — Should Louisiana & the Florida's not be their Object, It would be a great Conquest for them, the Island of Porto Rica, on Account of the excellence of the harbour, as well as the fertility of the Soil; and a Good harbour for Men of War is much wanted to windward — We should only be interested by having a Nest of pirates destroyed, that have and will continue to do us much mischief. —

I shall be glad to hear from you as often as convenient, and should any accident happen at Amboy (life is uncertain) I shall thank you



for your attention, to my (in that Case) Unfortunate little ones, untill I Return. —

You will oblige me by good advice to Harry, he is Young and has much of My property in hand, His obligations are among My Papers at Amboy — Should he by any misapplication of money leave me to begin the world again, at this time of day, with a large family, it would be hard indeed. —

It was my wish to provide for My Child; I have did it in the best manner I could. Without injustice to My family Generally — that is by a loan to Harry and by giving him Good Advice — Whether he now pays any attention to it or not, I cannot say, tho' I hope he does. —

My Best Respects to all friends and with sincere good wishes for your health & happiness and that of M<sup>rs</sup> Biddle & Family — I remain  
Dear Sir

Your very obt

THOMAS TRUXTUN

CHARLES BIDDLE Esq<sup>r</sup>

[NHSC, NYHS.]

[15 June 1798.]

To Lieutenant of Marines James McKnight from Secretary of War

[PHILADELPHIA.]

Lieut<sup>t</sup> JAMES MCKNIGHT

SIR, The President of the United States by and with the Advice and Consent of the Senate, having appointed you a Lieutenant of Marines, in the Ship of War *Delaware*, you will be pleased to commence the recruiting the Complement of Marines allowed to said Ship — to wit — one Serjeant — one Corporal, one Drum — one Fife and twenty one Privates. —

In the Performance of this Duty, you will pay particular Attention to the Rules and Regulations herein after mentioned. —

For Rules & Regulations. refer to pages 5, 6 & 7.

Given at the War Office of the United States, this fifteenth day of June A. D. 1798, and in the twenty second year of the Independence of said States. —

[NOTE.—Pages 5, 6, and 7 above referred to contain recruiting instructions dated 16 March 1798, and addressed to the Lieutenant of Marines on board the Frigate *Constellation*.]

[NDA. OSW, Vol. 1.]

To John Harris, storekeeper, from Secretary of War

[PHILADELPHIA,]

War Department 15<sup>th</sup> June 1798

M<sup>r</sup> JOHN HARRIS

SIR Be pleased to deliver to Lieutenant M<sup>r</sup> Knight for the Marines on board the Ship of War the *Delaware*. —

- 1 Serjeants Suit of Cloathing complete.
- 2 ----- ditto Musicians d<sup>y</sup>
- 21 Privates, ditto and 1 Corporal d<sup>y</sup>
- 3 Hangers for non commissioned Officers
- 25 Knapsacks.
- 6 Dozen Musket Flints
- 15 Prickers and Brushes
- 50 Blankets
- 10 Cutlasses.

In case any of the above articles are not in Store you will be pleased to state the same immediately that they may be procured without delay. —

[NDA, LB. Correspondence when Navy was under War Department, 1795–1798.]

Concerning purchase of Ship *Herald*

[15 JUNE 1798.]

TO ALL PEOPLE to whom this present Bill of Sale shall come, I Edward Davis of Boston in the County of Suffolk & State of Massachusetts Mariner Send Greeting.

KNOW YE, That I the said Edward Davis for and in Consideration of the Sum of Twenty one thousand Dollars to me in Hand, well and truly paid, at or before the Ensealing and Delivery of these Presents, by Stephen Higginson Esquire of Boston aforesaid Merchant for and in behalf of the United States of America the Receipt whereof I do hereby acknowledge, and am therewith fully and entirely satisfied and contented, have granted, bargained and sold, & by these Presents do grant, bargain and sell, unto the said Stephen Higginson as aforesaid — all the Hull or Body of the good Ship *Herald* — together with all and singular her masts, yards, spars, sails, rigging, cables, anchors, Boats & appurtenances &c stores as per Inventory delivered — now lying at Boston — and registered at the Port of Boston & Charleston, the Certificate of whose Registry is as follows, viz.

“In Pursuance of an Act of Congress of the United States of America, entitled ‘An Act concerning the registering and recording of Ships or Vessels,’ Edward Davis of Boston in the State of Massachusetts Mariner having taken or Subscribed the oath required by the said Act; and having sworn that he is the only Owner of the Ship or Vessel called the *Herald* of Boston, whereof the said Edward Davis is at present Master, and is a Citizen of the United States as he hath sworn; and that the said Ship or Vessel was built at Newbury in the State aforesaid this present year as appears by a Register No. 57, granted

Permanent  
No 218—  
Two hundred  
eighteen

SS Joseph Nourse  
Register

at the port of Newbury port on the twenty first day of October, 1797, now given up and cancelled — And Michael Hodge, Surveyor of that District having certified that the Said Ship or Vessel has two Decks and three Masts; and that her Length is Ninety two feet eight inches, her Breadth Twenty six feet, three inches one half, her Depth Thirteen feet, one inch and three quarters and that she measures Two hundred seventy nine tons; & 75/95; that She is a square sterned Ship, has Quarter Galleries, and a man figure Head; And the said Edward Davis having agreed to the description and Admeasurements above Specified, and sufficient security having been given according to the said Act, the said Ship has been duly registered at the Port of Boston & Charleston <sup>SS Benjs Weide  
Dr Cours New Off—</sup> James Lovell

Given under my Hand and Seal at the Port of Boston and Charleston this twenty seventh Day of October, in the Year One thousand seven hundred and nine seven."

TO HAVE and to HOLD the said granted and bargained Ship and Premises, with the Appurtenances, unto the said Stephen Higginson as aforesaid his Heirs, Executors, Administrators, or Assigns to his & their only proper Use, Benefit and Behoof forever. And I the said Edward Davis do avouch myself to be the true and lawful Owner of the said Ship and her Appurtenances, and have in me full Power, good Right, and lawful Authority to dispose of the said Ship and her Appurtenances, in Manner as aforesaid. And furthermore I the said Edward Davis do hereby covenant and agree to warrant and defend the said Ship and Appurtenances, against the lawful Claims and Demands of all Persons whatsoever, unto him the said Stephen Higginson as aforesaid.

IN WITNESS WHEREOF, I the said Edward Davis have hereunto set my Hand and Seal the twelfth Day of June —, in the Year of our Lord One Thousand seven hundred and ninety eight.

ED<sup>d</sup> DAVIS.

Signed, Sealed and delivered in Presence of us,

J. WATERS, J<sup>r</sup>  
THOS. SMITH

BOSTON June 15 1798

This certifies that I have received of Cap<sup>t</sup> Edward Davis in virtue of the written Bill of Sale possession & delivery of the Ship *Herald* for & on account of the United States, with all the articles belonging to her as stated in the enclosed Inventory.

JAMES SEVER.

[GAO, No. 9847.]

To Rufus King, United States Minister, London, from Rob W. Fox

FALMOUTH, 15<sup>th</sup> June 1798.

R. W. Fox —  
RUFUS KING Esq<sup>r</sup>

ESTEEMED FRIEND In consequence of the information contained in thy esteemed of the 12<sup>th</sup> Ins<sup>t</sup>, I have wrote to Plymouth, Scilly, Dartmouth, Penzance & Ilfracombe of the risk American Ships run in attempting to enter the Port of the Texel, We have no Vessel here

bound for the U. S. so I have not an opportunity of communicating it to my Friends there —

The Bremen Vessel *See Blhum* loaden at Charleston for Amsterdam with Tobacco Rice &c the property of a Citizen of the U S of America was Captured by the *Triton* Frigate & sent in here — I have caused the Cargo to be claimed & its restored by Decree of the Court — Now the Captain says he'l proceed to the Texel notwithstanding he has been told of the great risk — I presume if he perseveres & the Cargo is Captured it will be condemned, do favor me with thy opinion hereon, & if I am justified in insisting on the Vessells not proceeding

I am with great respect

Thy assured Friend —

ROB W. FOX

LONDON —

[SDA. Falmouth, CL, Vol. 1, 1790-1802.]

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To Secretary of War from Captain Thomas Truxtun, U. S. Navy

[17 JUNE 1798.]

SIR After long Calms and adverse Winds, I have at length reached these Roads, having Three Hundred and five Men on Board, a particular List of which I shall send you as soon as possible.

Being all ready for Sea, I only wait the arrival of the *May Flower* from Philadelphia with the Shot, and when I receive that indispensable Article, I shall be out in a few Hours after.

Lieutenant Triplett did not come down with M<sup>r</sup> Rogers as I expected. Rogers supposes his Want of Money to defray the recruiting Business, is the Cause; be that as it may, I shall not wait here a Moment on his Account.

I have the Honour to be with great Respect &c.

THOMAS TRUXTUN

HAMPTON ROADS —

17<sup>th</sup> June 1798 —

UNITED STATES SHIP *Constellation*

M<sup>r</sup> M<sup>r</sup>HENRY

*Secretary of War.*

[HS of Pa. NDA photostat. Truxtun's LB, 1798-99.]

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To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department June 18. 1798*

JEREMIAH YELLOTT

*Baltimore*

I had not before this day entered upon the Duties of my Office, or you would have sooner heard from me. —

M<sup>r</sup> John Donaldson of this City, has sold to the Public 18 twelve pound Cannon, and engaged I believe to deliver 12 of them to the Ship *United States* at New Castle; he it seems first wrote to M<sup>r</sup> Stewart who did not send the Guns, afterwards to Mess William

M<sup>r</sup>Donald & C<sup>o</sup> to forward them to M<sup>r</sup> Zebulon Hollingsworth at Elkton, they make difficulties, and there is no certainty, that the Guns will be sent on, although the Ship waits for nothing else. — In this state of things, will you permit me to request, that you will immediately enquire into the state of this Business, and if the Guns should not be sent on, to forward them, either by a fast sailing Vessel hired for the purpose, or by way of the head of Elk, as you shall judge most expeditious.

I trouble you on this subject because the Guns are wanted without delay.

[NDA. GLB, Vol. 1.]

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To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department June 18. 1798*

JEREMIAH YELLOTT

*Baltimore*

I mentioned to you in a Letter of to Day that I had not before entered upon the duties of my Office, in fact I have not yet taken the Oath of Office, this I shall do Tomorrow, & by the next Post shall write you officially; — my opinion is that the *Montezuma* ought to be purchased, I shall Tomorrow consult the President on the subject, in the mean time I wish M<sup>r</sup> Taylor would suspend her loading.

M<sup>r</sup> McHenry has been absent ever since my arrival here, — now M<sup>r</sup> Wolcot is gone to New York, these circumstances have kept back the Business of my Department, I hope it will be better attended to in future, and while the assistance of Gentlemen of your knowledge & worth can be obtained, I shall not despair of discharging the duties of my Office with promptness, and economy, two things highly essential to be observed in the present crisis of our Affairs

[NDA. GLB, Vol. 1.]

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To Mr. Jones, Treasury Department, from Secretary of Navy

[PHILADELPHIA]

*Navy Department June 18. 1798*

M<sup>r</sup> JONES.

*Treasury Depart.*

M<sup>r</sup> Wolcot informed me, you would be so good as to afford me any information in your power in relation to the Department of the Navy. —

Will you be so obliging as to inform me how many of the twelve Ships, authorised by Congress, have been procured, and what steps have been taken to procure others? —

Be so good as to add, when the *Adriana* at Baltimore will be ready to receive her Guns. —

[NDA. GLB, Vol. 1.]

To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

Navy Department June 19, 1798

JEREMIAH YELLOTT

Baltimore

Being satisfied from the information contained in your Letter to M<sup>r</sup> Wolcot, that the *Montezuma* is a proper Ship for the Public service, I have to request the favor of you to purchase her on account of the United States, as to the price, I know you will get her on the best terms in your power. —

I have also to solicit, calculating on your Skill, and Patriotism, that you will with as much expedition as possible have this Ship fitted and prepared for war, I think you mentioned in one of your Letters to M<sup>r</sup> Wolcot that you would undertake the superintendence of this Vessel, and it is this consideration, as much as the fast sailing of the Ship which determines me to buy her, in preference to any others that are offered.

I hope it will be in your power to procure Guns, and all the Military and other Stores she may want in Baltimore which will save the expence, and the delay of transportation, Will you be so good as to let me know as soon as you can determine, what cannot be procured with you, that I may make arrangements in season for providing them elsewhere. — M<sup>r</sup> Wolcot is now at New York, and I am at a loss for the correspondence between you and him, but I can see generally, that it is expected, that every Article of every kind, which can be procured by you for the two Ships, will be so obtained, and that no measures will be taken to procure any article which you can have supplied, I have requested the Treasury Department to forward on to you, One thousand Dollars.

P. S. I have just seen your Letter of the 12<sup>th</sup> Ins<sup>t</sup> to M<sup>r</sup> Wolcot, the information requested shall be given Tomorrow

[NDA. GLB, Vol. 1.]

To Mr. Morgan of the *Constellation* from Captain Thomas Truxtun, U. S. Navy

JUNE 19<sup>th</sup> 1798.

M<sup>r</sup> MORGAN, Two Boxes, containing seventy two Cannisters of Shot for the Howitzers, have been placed in the Three Tops by my Order to Viz —

Thirty in the Fore, and Thirty in the Main Top, and twelve in the Mizzen Top, two Lynch Stocks with Matches (besides one to be sent up lighted when the Orders to Quarters are given) must always be in each of the Chests, as also the Sponges, and about ten Dozen of Wads; the Cartridges in the Budge Barrels, must be kept handy and ready for sending up in each Top at a Moments Warning, as also a Powder Horn, and Pricker.

As I directed the Hole at the End of the Sponge Staff to be made, for the Purpose of putting the Cartridge in the Howitzers, you must explain that Part of the Business to the Top Men, in Order that they comprehend the Intention.

Three Muskets and three Cartouch Boxes, filled with Cartridges, are to be sent to each Top, whenever the Order for Quarters is given. — At the same Time fourteen Boxes of Cannister Shot for the 24 Pound-

ers, and five for the 12 Pounders are to be got up, and placed conveniently, to the Guns, as well as the Bar Shot,—the Boxes containing the Cannister Shot will serve, when [they] are expended, to pass up round Shot in &c. I do again require of you to be attentive to the Duty assigned you by your Station, and that every Article at any Time Night or Day, be ready for Action in a Moment's Warning. You will therefore have at least half a Dozen spare Breechings ready, and as many Spare Tackle Falls &c. —

I am Sir

Your Obed<sup>t</sup> humble Serv<sup>t</sup>

THOMAS TRUXTUN.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Isaac Garretson, purser, from Captain Thomas Truxtun, U. S. Navy

HAMPTON ROADS — 19<sup>th</sup> June 1798.

M<sup>r</sup> ISAAC GARRETSON

Purser of the Frigate *Constellation*

SIR The Hospital Stores per List on other Side, you will cause to be delivered from Time to Time to Doctor Balfour (as he may direct) in the original Package or Cask, as the Case may be. — The Doctor will direct the Issue of each Article, and keep a regular Account of the same, to be transmitted to the Government, or made to me. —

Such Kettles and Pots as are in your List of Stores, and may be wanted for the Surgeon's Use, you will be pleased to deliver to his Order, keeping a regular Register or Account of the same. —

I am Sir

With Respect Your Obed<sup>t</sup> Serv<sup>t</sup>

THOMAS TRUXTUN.

*Hospital Stores*

1 Box Containing	9 lbs. Tamarinds
" "	4 " Salep
" "	6 " Tapioca
" "	12 Essence of Spruce
1 Keg "	18 Lags
1 Barrel "	32½ Gallons Brandy
3 Quarter Casks	98 " Sherry Wine
3 " "	99 " Lisbon ditto
1½ " "	47¼ " Port — "
8 Kegs "	66 " Porter
3 Hogsheads "	400 " Vinegar
1 Barrel "	214 lbs. Barley
2 " "	62 Gall <sup>s</sup> Molasses
1 " "	Linseed Meal
1 " "	156 lbs. Sugar
1 Box "	50 " Chocolate
1 Barrel "	213 " Rice
1 Keg "	25 " Oatmeal
1 Box "	Raisons
1 Keg "	5 Gallons Lime Juice
1 Barrel "	15 lbs. Bohea Tea
" "	6½ lbs. Hyson Skin Tea
" "	9 " Allspice
" "	7 " Mustard
" "	3½ " Pepper
" "	1½ " Ginger
1 Keg "	2½ " Linseed Oil

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Secretary of the Treasury from Secretary of Navy

[PHILADELPHIA,]

*Navy Department June 19. 1798*

## SECRETARY OF THE TREASURY

Cap<sup>t</sup> Yellott of Baltimore who has the direction of the Public Ship *Adriana* [renamed *Baltimore*], mentions in his Letter of the 12<sup>th</sup> Ins<sup>t</sup> to the Secretary of the Treasury, that he is in want of money to pay laborers and other contingencies.

If no money has been sent him in consequence of his requisition, be pleased to direct that One thousand Dollars be remitted him by the Mail of Tomorrow

[NDA. GLB, Vol. 1.]

To Daniel Eldridge and Ambrose Shirley from Captain Thomas Truxtun, U. S. Navy

[JUNE 20, 1798.]

SIR, As you have repaired on Board this Frigate to take on the Functions of a Master you will please to consider the following as the general Duty assigned to you.

The Keeping of the Ship, in order and having a Watchful Eye, that Part of the Rigging, Sails, Materials, or other Furniture remain unrepaired, with a due Attention to the Navigation of the Ship under my particular Orders, and to the keeping & Account of all Articles received & expended in Every department: You are to see that the Stores of every Description are preserved, and that none are wasted; to see that the Log, and Log Book be regularly, and correctly kept, by noting all Occurrences, and making proper Remarks at the Time. It is your Business to attend to the Ship's Movements in every Situation at Sea, or in Port, to keep the Hawse clear when at Anchor, preserve the Cables, and have constantly the Tiers clear, and kept clean; proper mathematical Instruments, and Books for your own Use, and the Purpose of navigating must be provided by you, Charts are furnished by Government.

It is your particular Duty to attend the Stowage of the Hold, for which and other Purposes in the Line of your Station, you have your Mates, and Quarter Masters to aid, and be subservient to your Orders.

You are to examine all Provisions and report the State of such as may be injured, or unfit for Use, to cause Justice to be done in the Issue of every Article, as well to the United States, as the Ship's Crew, at the End of each Expedition, or when the Ship is laid up, you are to deposit with the Secretary of the Navy a Copy of the Log Book, as well as of your Journal.

I Shall only add that it will be expected a proper Attention to all these points of Duty so essential to the Welfare of the Ship, and her Stores will be minutely attended to. The printed, and other Orders will be a further Guide.

I am, Sir, with great Respect

Your Obed<sup>t</sup> humble Serv<sup>t</sup>

THOMAS TRUXTUN.

UNITED STATES SHIP *Constellation**20<sup>th</sup> June 1798.*M<sup>t</sup> DANIEL ELDRIDGEM<sup>t</sup> AMBROSE SHIRLEY

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]



To Captain Stephen Decatur (senior), U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]  
Navy Dep<sup>t</sup> June 21. 1798.

Cap<sup>t</sup> DECATUR

SIR, The Acts of Congress make no Provision for the employment of Boys on board the Ships of War, — I presume a Regulation admitting of their Employment, will be made in a few days, but not in time for you, as you are so nearly ready for a Cruise —

As your opinion of the Propriety of employing some Boys, corresponds so entirely with my own, I will venture to permit, that you take as many boys as you think proper, not exceeding one for every Gun — You will get them on the best Terms in your power, not exceeding for a Boy half the Pay of an able Seaman, but it must be understood that you are to reduce the Number of able Seamen, allowed your Ship, at the rate of one Seaman for every two Boys — This Regulation, I understand from you, would still leave you a sufficient Number of able Seamen. —

[NDA. OSW, Vol. 1.]

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Act providing a naval armament

[22 June 1798]

AN ACT TO AMEND THE ACT, INTITULED "AN ACT PROVIDING A NAVAL ARMAMENT," AND THE ACT, INTITULED—"AN ACT TO AUTHORIZE THE PRESIDENT OF THE UNITED STATES TO CAUSE TO BE PURCHASED OR BUILT, A NUMBER OF SMALL VESSELS, TO BE EQUIPPED AS GALLIES OR OTHERWISE."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States shall be, and he is hereby authorized, when he shall think fit to increase the strength of any revenue cutter, for the purposes of defence, against hostilities near the sea coast, to employ on board the same, at his discretion, not exceeding seventy marines and seamen: any thing in the act, intituled "An act providing a naval armament," to the contrary hereof, notwithstanding.

SEC. 2. *And be it further enacted,* That the President of the United States shall be, and he is hereby authorized to fix the degree of rank, and the rate of pay and subsistence, not exceeding what is allowed upon the naval establishment, which shall be granted and allowed to the officers who shall be duly commissioned in the service of the United States on board of any small vessel or galley, which shall be fitted out under his orders, pursuant to the act, intituled "An act to authorize the President of the United States to cause to be purchased, or built, a number of small vessels, to be equipped as galleys, or otherwise," anything therein to the contrary hereof, notwithstanding.

*Approved, June 22, 1798.*

[Statute II, page 569.]

To Captain Stephen Decatur (senior), U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Department — 22 June 1798

Capt DECATUR

SIR, In answer to your Letter of Yesterday, there is no Coasting Pilot, allowed by Law — yet as you think such a Character necessary, & as the Expence will be but little more than Pilotage up & down the River, I hereby authorize you to employ M<sup>r</sup> Mariner, to act as your Coasting Pilot, on the Terms expressed in your Letter. — Thirty five Dollars per month — & Two Rations per day. —

[NDA. OSW, Vol. 1.]

To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

Navy Department June 22<sup>d</sup> 1798

JEREMIAH YELLOTT *Baltimore*

I have your Favor of the 20<sup>th</sup> Ins<sup>t</sup>. — I hope you have purchased the *Montezuma*. — I will take immediate steps to have procured & forwarded on the Copper for the *Adriana* & for the *Montezuma* should you have purchased her; — if possible procure Kentledge, it is not to be had here.

I answered in my Letter of the 20<sup>th</sup>, some of your enquiries of M<sup>r</sup> Wolcot, I now enclose the number of men allowed to Ships of different sizes, — I wait with impatience for your recommendation of Officers for the *Adriana*, it is likely before I receive it, I may recommend to the President, the appointment of a Cap<sup>t</sup> Speake to be Lieutenant, in order that an Officer with a sufficient number of men may be engaged at once for the guard of the Ship; Please to keep in mind, that you are to procure every thing for the compleat equipment of the Ship, or Ships for Sea & War if in your power, — those things which you cannot procure, & those only be pleased to apply for here — an able Seaman is allowed 17 Dol<sup>s</sup> an ordinary Seaman 10 Dol<sup>s</sup> p. Month, a Midshipman, such men as promise to make good Officers after a little experience 19 Dollars per Month, if you deem a guard immediately necessary, please to appoint a proper person Midshipman, his appointment will be confirmed, & let him engage as many Seamen, or ordinary Seamen as you shall judge sufficient for a guard; The Men here have received two Months pay in advance as the bounty for enlisting, they must be engaged for twelve months, unless sooner discharged.

[NDA. GLB, Vol. 1.]

To Joshua Humphreys, naval constructor, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department June 22. 1798*

JOSHUA HUMPHREYS

The enclosed is the dimentions of a Ship at one of the Wharves, there are suspicions that she was built for a French Privateer, it is said she is constructed for a swift sailing, & that she will carry 18 Guns, I presume 6 pounders, M<sup>r</sup> Steel informs me that from particular circumstances, the person who has the disposition of her here, will take 10,000 Dollars, though the Collector of the Customs who can give all the necessary information about her, thinks her worth 20,000 D<sup>s</sup>. Will you be so good as to examine the Ship, & if you judge her to be a swift sailer, & fit for a Cruiser purchase her for the Public at 10,000 Dollars

Ship *Superior*

her length is 81 feet. 8 Inches

her breadth is 22 feet 8 Inches

her depth — 10 feet 7 Inches

she measures 171-83/95 Tons

[NDA. GLB, Vol. 1.]

To Robert Liston, British Ambassador to Washington, from Secretary Pickering

DEPARTMENT OF STATE, PHILADELPHIA,

*June 22. 1798.*

ROBERT LISTON Esquire,

*Envoy Extraordinary &c.*

SIR, I take the liberty to inform you, that M<sup>r</sup> Adam Babcock, a merchant of reputation in Boston, has entered into a contract with the Secretary of the treasury, to import from the East Indies five hundred tons of Salt petre, to be delivered at Philadelphia, for the use of the United States. I have understood that he had obtained permission from the British Government to purchase the Salt petre in the British Settlements. Be this as it may, by the 13<sup>th</sup> article of the commercial treaty: the British Government in the East-Indies may permit the exportation of that article: and M<sup>r</sup> Babcock supposes it may be of some consequence to have, in addition to the certificate of the Secretary of the Treasury (to whom he has given bond for the purpose) some evidence that the Salt petre above mentioned is destined solely for the use of the United States.

I have therefore to request of you the favour of a letter to the Governor General of Bengal in Council, desiring his permission to lade, at the port of Calcutta, the five hundred tons of Salt petre; which is intended to be put on board M<sup>r</sup> Babcock's ship called the *Martha* of Boston, Captain Benjamin Moore master.

I should hope that every facility would be granted in this case; and the rather because the salt petre will be so important to us in the prosecution of the war in which we are actually, and very soon must formally be engaged, against the inveterate and inexorable enemy of Great Britain.

The readiness with which the British Government furnished a convoy to the American trade coming from Great Britain the past

Spring, leaves no room to doubt a like disposition in those who administer that Government in the East Indies: Still it may ensure to M<sup>r</sup> Babcock's vessel the benefit of a convoy at least as far as the Cape of Good-Hope, if you suggest your wishes that She may be allowed the protection of any British Armed vessel or vessels coming on the same course. I have the honour to be &c.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 10.]

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To Secretary Oliver Wolcot from Secretary of Navy

[PHILADELPHIA,]

*Navy Department June 22, 1798*

OLIVER WOLCOT

I have your Favor, [Space] I have no doubt of the propriety of getting a ship at New York, M<sup>r</sup> Higginson has engaged M<sup>r</sup> Hackett to build one at Portsmouth at 30 D<sup>r</sup> p Ton; I know of no means to pursue, to obtain a Ship at New York, so proper as to get the favor of you to contract for one there, or to employ a proper person to make such contract, you are at least, as well acquainted with the whole of the Subject as I am, and I shall with the utmost pleasure subscribe to whatever you may do; — remember your own sistem, — leave nothing to be done here.

I wish sincerely Mr<sup>s</sup> Wolcot was so much recovered as to permit your return.

[NDA. Req. on US T, 1798–1803.]

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To Lieutenant of Marines James Triplett from Captain Thomas Truxtun, U. S. Navy

UNITED STATES SHIP *Constellation*

*Hampton Roads 22<sup>d</sup> June 1798.*

SIR, Your particular Duty as Lieutenant of Marines on Board this Ship, is to train, or cause to be trained, the Marines to the Use of small Arms, to discipline and exercise them Morning and Evening, according to the Orders Issued, and at such other Times, as I may direct according to Circumstances. — It is your Duty to direct them on all Occasions, agreeable to my Orders, and to have a due Regard to the Preservation of the Arms, and Accoutrements, and that they be kept clean, and always fit for Service — It is your Duty to cause the Centinels to be placed according to the Regulations of the Ship, and to call on the Master at Arms, to aid your Sergeants and Corporals in doing this duty — The Armourer being occasionally under your Orders, you will call on him as often as may be necessary to clean the small Arms &c and the Drummer and Fifer [obliterated several words] is to perform the Duties annexed to those Stations [obliterated 3 words] in Conformity to the Regulations aforesaid. —

As it often happens, that Marines are sent on Shore on certain Enterprizes during an Expedition or Cruize, as well as to cooperate with the Army on particular Occasions at Home, you should pay particular Attention to every Part of the Duty of a Soldier in all

Situations, so as not to be outdone by any other Officer of your Rank, whenever it may be necessary to try your Skill & with them —

The putting the Fire, and Lights out agreeable to the Regulation of the Ship, you will be pleased to have done by the Master at Arms and Corporals, in order that the Officer of the Watch may not be compelled to leave the Deck on all occasions, to see this Order executed —

The Marine Cloathing, and the Arms, Accoutrements &c. will be received by you agreeable to the Invoice [obliterated] —

I have the Honor to be, Sir, with great Respect

Your Obed<sup>t</sup> Serv<sup>t</sup>

THOMAS TRUXTUN.

Lieutenant JAMES TRIPLETT.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Charles Wadsworth, purser, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department — 22 June. 1798.*

CHA<sup>s</sup> WADSWORTH

*Purser of Frigate U. S.*

SIR, In answer to your Letter of this day, the Price of a ration in the Navy, must be estimated at twenty eight Cents. —

[NDA. OSW, Vol. 1.]

To Samuel Sewall from Secretary of Navy

[PHILADELPHIA,]

*Navy Department June 23<sup>d</sup> 1798*

SAMUEL SEWALL Esquire in Congress

SIR Cap<sup>t</sup> Barry represents to me that his Ship the Frigate *United States*, requires more men than the Acts of Congress authorize, she is allowed in all including the Captain, & every man on board 364 Officers Seamen & Marines, four hundred the Captain thinks are absolutely necessary to govern & fight the Ship to the greatest advantage. I am so new to this Business, that I cannot form such a judgment on the subject, as to authorize a formal representation to Congress, I observe that the Act provided an additional Armament & to permit the President to regulate the number & grade of Officers & the number of men of which the Crews of the twelve Ships contemplated by that Act, shall be employed, perhaps it might be proper & useful, to extend this provision to the Crews of the Frigates; hereafter the subject will be better understood, & Congress may Act on surer ground, in determining the exact number of Officers & men to be allowed to Ships of all sizes. — By the present regulations of Congress no provision is made for Boys on board of the Ships of War, beside the good policy of teaching Boys to become Seamen, experienced men inform me that one Boy for each Gun is highly necessary

[NDA. GLB, Vol. 1.]

To Rufus King, United States Minister, London, from James Maury,  
United States Consul, Liverpool

LIVERPOOL, 23<sup>d</sup> June 1798

D<sup>r</sup> SIR In addition to the vessels mentioned in my former I have just been informed that the arm'd ship *Planter* Captain Driver is to sail about the middle of next week for Virginia

I have the Honor to be with  
Much Respect  
Your Excellency's  
Most Obed Ser<sup>t</sup>

JAMES MAURY

His Excellency

RUFUS KING

*Minis<sup>r</sup> Plen<sup>y</sup> to the U. S. of America  
London*

[SDA. Liverpool, Vol. 1, C. L., 1790–1800.]

To Secretary James McHenry from Captain Thomas Truxtun, U. S. Navy

UNITED STATES SHIP *Constellation*  
*Hampton Roads 23<sup>d</sup> June 1798.*

SIR In order that the Ship should not be detained, I gave directions to M<sup>r</sup> Garretson to advise with the Naval Agent at Norfolk, and to purchase a small Quantity of Slops (per List delivered him) on the best Terms he could, and to draw on you for the Am<sup>t</sup> this he has done, but the Day after the Purchase was made, the Transport from Philadelphia arrived. —

I have directed those Slops to be placed in the publick Magazine under Care of M<sup>r</sup> Pennock, — subject to your Order; they will be ready and convenient for the Ships under Equipment at Baltimore, or any other of the publick Ships in Want of Such Articles, when calling into these Roads for Refreshments. — I have also landed, and left in Charge as aforesaid:

44 horn Lanterns, eight of which are Signal. They are of the best Sort; our Supply of this Article was greater than I directed, in Consequence of M<sup>r</sup> Christie of London, sending them out with the Poop, and Top Lantern, contrary to the Directions of L. and J. Sterett, but as they were very good and cheap, it was thought best to make no Difficulty about the Receipt of them, they will also suit one of the Ships at Baltimore, but this Frigate ought to have credit for such Articles, as have been purchased for her Use, but not applied to it.

The Ventilators have not arrived, if they were forwarded to Norfolk, they would be very serviceable, particularly at this Season of the Year.

I before informed you, that this Ship's Draught of Water exceeded Twenty two Feet, which renders it impossible for her to go into any Port in the United States southward of the Chesapeake, without taking out her Guns. Yesterday about 3 P. M. the Ring of the small Bower Anchor gave Way, we afterwards endeavoured to weigh the Anchor by the Buoy Rope, which was new, and as stout as a 64 Gun Ship's: but it parted, and we lost that Anchor. Much has been

said on the Subject of these Anchors, it is therefore unnecessary for me to say any Thing further at this Time, except that I should not have received them, even after their Arrival at Baltimore, had there been any Alternative. —

Suitable Anchors should be provided for all sorts of Ships, but particularly for heavy Vessels, I have never seen any made in this Country fit for a Frigate. —

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Secretary James McHenry from Captain Thomas Truxtun, U. S. Navy

*Constellation* OFF CAPE HENRY June 23 [?, 1798—

SIR, After every Exertion being made, that was possible for me to get the Ship to Sea, I have at length arrived at the Door of the Ocean with 313 Men of every Description on Board; the precise Number allowed by Act of Congress, and whose Names and Stations you will see fixt by the enclosed Copy of the Quarter Bill.

The Merchants of Norfolk having applied to me to convoy a Fleet of their Ships, which they assured me, was worth at least One Million of Dollars; I considered it proper, and within the Power given to me in my Instructions, to grant their Request, as far as the Distance mentioned in the accompanying papers, which I forward for your Information. —

As soon as I have performed my Promise to the Merchants afore-said, I shall take the Range you have (by Order of the President) directed, and I hope most sincerely, that the Time is at Hand, when I shall have it in my Power, to give you a good Account of some of those French Pirates, who very properly are at this Moment hovering within the Tract of Sea, allotted for my cruizing Ground.

The Frigate goes through the Water with great Swiftmess indeed, I hope we shall soon have Opportunities to try her Sailing by and large. — It has been impossible as yet to furnish you a Muster Roll as complete as I wished, for I have not had Time to examine Day and Dates from the Recruiting Officer's Documents. The first lesiure Moment I have, the Roll shall be completed, and the first good Opertunity after it shall be transmitted, to you. — As a unanimous Spirit, and vigorous Measures, will always insure us Justice, the United States have my most ardent Wishes for the Adoption complete of those Objects, and that we may be soon restored triumphantly to Peace, and the Enjoyment of a free and uninterrupted Commerce. —

\* \* \* \* \*

I have the Honor to be, Sir, with great Respect,

Your very Obedient — humble Servant —

THOMAS TRUXTUN.

(P. S.) Since I returned you the Copy of a Quarter Bill, made out the 19<sup>th</sup> Current, I have received several Seamen from Norfolk, and have discharged several inanimate Animals, that could never have been of any Use to the Service, the present Quarter Bill stands correct. — To prevent Scorbutic Appearances, an Order should be lodged with the Naval Agent to furnish certain Articles of Refreshment,

& a plenty of Vegetables, whenever the Ship comes into the Roads.— People, who are not accustomed to the Sea, particularly requires these Things, and they come as cheap as Salt Provision.— Had Pennock not been acquainted with me for many years, in Fact sailed with me as an Officer, he would not have furnished the necessary Supplies, having no Order for that Purpose, from the regular Departments.

Hon<sup>ble</sup> JAMES M<sup>r</sup>HENRY,  
*Secretary of War.*

[HS of Pa. NDA photostat. Truxtun's LB, 1798–9.]

Convoy signals, U. S. Frigate *Constellation*

Signals by Day.	Signals by Night.
To get under Way, Ensign at Ensign Staff, and fore top Sail loose.....	Eight lights in a Range.
To make Sail, U.S. Jack at Mizzen peak.....	Seven lights in...Ditto
To shorten Sail, " " at Mizzen top Gallant Mast head.....	Six Ditto in...Ditto
On seeing a Sail to Windward, U.S. Jack, at Fore Top Mast head.....	Five Ditto in...Ditto
On seeing a Sail to Seaward, a Pendant at Fore Top Gallant mast head.....	Four Ditto in...Ditto
To tack, or ware a Pendant, under Jack at Mizzen Peak.....	Three Ditto in...Ditto
To make best of your Way, One Gun, & Ensign at Ensign Staff.....	One Gun, and two Lights in After.

SIR, As you are only to expect any Convoy about twenty or thirty Leagues at most from Cape Henry, I have only made out a few Signals, such as I have deemed sufficient for your Government in keeping with the Frigate so short a Distance. — Your Attention to them will however be necessary. — Wishing you safe to your consigned Port, I am, Sir, —

Your Obedient Servant —

United States ship *Constellation*

Lynn Haven Bay 24 June 1798

(Copy of Order to each Master of a Vessel under Convoy)

T T

[HS of Pa. NDA photostat. Truxtun's LB, 1798–9.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
24 June 1798, Sunday

Had my Business on Board this Frigate been confined simply to that of a Commander; My Journal should have commenced, when the Ship went out of the Builder's Hands, and my Functions as a Superintendant in the Yard ceased; but it has been very much otherwise, and I have been so occupied, that I could only find Leisure to commence it this Day.

The Guns having been scaled, Men quartered, Watch Lists, and Order of Boarding made out, with various Stores allowed, being received; I delivered the Signals for the Fleet under my Convoy (which I agreed to protect to the Distance of Twenty or Thirty Leagues from Cape Henry, agreeable to the Request of the Merchants



of Norfolk) to the Masters of the different Ships, and Vessels, bound to Europe, and the West Indies per Register; and at 11 AM got under Way and sailed down towards Cape Henry, having previously lost our small Bower Anchor, owing to the Ring giving Way in a Common Gale and the Buoy Rope parting after, in our Efforts to weigh the Anchor, which was buried very deep in the Mud.

Altho' we have too few Seamen on Board our Compliment as far as respects Numbers is complete, after discharging a Number of Rotten and inanimate Animals that found their Way into the Ship, by imposing on the recruiting Officers and Surgeon's Vigilance.

Throughout the whole of these Twenty four Hours, the Weather has been cloudy, and warm, with a fresh South West Breeze of Wind. The present Cruise ordered by the President of the United States being Coastwise, I shall omit stating any Thing more of the Result of our Sailing in the Column of Day's Works, than the Latitude and Longitude, except on particular Occasions, the Rest being unnecessary, and the more so, as we shall often be in the Gulph Stream, and in the Way of Currents, when great allowance must be made from the Distance run by log, in Order to fix the true situation of the Ship at Noon of each Day. But whenever I am ordered to cruise off the Coast, any Distance from Land, all the Blanks in said Column shall be filled up.

THOMAS TRUXTUN.

[HS of Pa. NDA photostat.]

[24 June 1798]

List of vessels convoyed by *Constellation*

*Vessels under Convoy per Order of the 24<sup>th</sup> June.*

Vessels Names	Owners	Masters	where bound	Burthen in Tons
Ship LITTLE WILLIAM.....	W <sup>m</sup> Pennock of Norfolk.	James Wilkerson....	Liverpool.....	162.
Ship CHARLES.....	Brown & Tracey of Newberry.	Jos. Perkins.....	Dublin.....	225.
Ship ANN.....	Robt Hambleton of Alexandria.	David Black.....	Rotterdam.....	224.
Brig ELIZA.....	Conway Whittle.	Alex. McConnel.....	Belfast.....	280.
Schooner ANTHONY WALLIS.....	Dav <sup>d</sup> of Patterson.	Isaac Luke.....	Barbadoes.....	85.
" HAZARD.....	Thos Willick.	W <sup>m</sup> Montgomery.....	Nevis.....	96.
" HOPE.....	W <sup>m</sup> Jet.	W <sup>m</sup> Baldwin.....	Barbadoes.....	73.
Ship FAIR AMERICAN.....	M. Myers.....	O. P. Finley.....	London.....	317.

N. B. About as many more Vessels sail with us. It blowing fresh, they did not receive Signals, which in Fact is of no Consequence for so short a distance, as I shall keep with them.

[HS of Pa. NDA photostat. Truxtun's LB., 1798-1799.]

Act authorizing defence of merchant vessels

[25 June 1798]

AN ACT TO AUTHORIZE THE DEFENCE OF THE MERCHANT VESSELS OF THE UNITED STATES AGAINST FRENCH DEPREDACTIONS

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the*

commander and crew of any merchant vessel of the United States, owned wholly by a citizen or citizens thereof, may oppose and defend against any search, restraint or seizure, which shall be attempted upon such vessel, or upon any other vessel, owned, as aforesaid, by the commander or crew of any armed vessel sailing under French colours, or acting, or pretending to act, by, or under the authority of the French republic; and may repel by force any assault or hostility which shall be made or committed, on the part of such French, or pretended French vessel, pursuing such attempt, and may subdue and capture the same; and may also retake any vessel owned, as aforesaid, which may have been captured by any vessel sailing under French colours, or acting, or pretending to act, by or under authority from the French republic.

SEC. 2. *And be it further enacted*, That whenever the commander and crew of any merchant vessel of the United States shall subdue and capture any French, or pretended French armed vessel, from which an assault or other hostility shall be first made, as aforesaid, such armed vessel with her tackle, appurtenances, ammunition and lading, shall accrue, the one half to the owner or owners of such merchant vessel of the United States, and the other half to the captors: And being brought into any port of the United States, shall and may be adjudged and condemned to their use, after due process and trial, in any court of the United States, having admiralty jurisdiction, and which shall be holden for the district into which such captured vessel shall be brought; and the same court shall thereupon order a sale and distribution thereof, accordingly, and at their discretion; saving any agreement, which shall be between the owner or owners, and the commander and crew of such merchant vessel. In all cases of recapture of vessels belonging to citizens of the United States, by any armed merchant vessel, aforesaid, the said vessels, with their cargoes, shall be adjudged to be restored, and shall, by decree of such courts as have jurisdiction, in the premises, be restored to the former owner or owners, he or they paying for salvage, not less than one eighth, nor more than one half of the true value of the said vessels and cargoes, at the discretion of the court; which payments shall be made without any deduction whatsoever.

SEC. 3. *And be it further enacted*, That after notice of this act, at the several custom-houses, no armed merchant vessel of the United States shall receive a clearance or permit, or shall be suffered to depart therefrom, unless the owner or owners, and the master or commander of such vessel for the intended voyage, shall give bond, to the use of the United States, in a sum equal to double the value of such vessel, with condition, that such vessel shall not make or commit any depredation, outrage, unlawful assault, or unprovoked violence upon the high seas, against the vessel of any nation in amity with the United States; and that the guns, arms and ammunition of such vessel shall be returned within the United States, or otherwise accounted for, and shall not be sold or disposed of in any foreign port or place; and that such owner or owners, and the commander and crew of such merchant vessel, shall, in all things, observe and perform such further instructions in the premises, as the President of the United States shall establish and order, for the better government of the armed merchant vessels of the United States.

SEC. 4. *And be it further enacted*, That the President of the United States shall be, and he is hereby authorized to establish and order suitable instructions to, and for, the armed merchant vessels of the United States, for the better governing and restraining the commanders and crews who shall be employed therein, and to prevent any outrage, cruelty or injury which they may be disposed to commit; a copy of which instructions shall be delivered by the collector of the customs to the commander of such vessel, when he shall give bond as aforesaid. And it shall be the duty of the owner or owners, and commander and crew, for the time being, of such armed merchant vessel of the United States, at each return to any port of the United States, to make report to the collector thereof of any rencounter which shall have happened with any foreign vessel, and of the state of the company and crew of any vessel which they shall have subdued or captured; and the persons of such crew or company shall be delivered to the care of such collector, who, with the aid of the marshal of the same district, or the nearest military officer of the United States, or of the civil or military officers of any state, shall take suitable care for the restraint, preservation and comfort of such persons, at the expense of the United States, until the pleasure of the President of the United States shall be known concerning them.

SEC. 5. *And be it further enacted*, That this act shall continue and be in force for the term of one year, and until the end of the next session of Congress thereafter.

SEC. 6. *Provided, and be it further enacted*, That whenever the government of France, and all persons acting by, or under their authority, shall disavow, and shall cause the commanders and crews of all armed French vessels to refrain from the lawless depredations and outrages hitherto encouraged and authorized by that government against the merchant vessel[s] of the United States, and shall cause the laws of nations to be observed by the said armed French vessels, the President of the United States shall be, and he is hereby authorized to instruct the commanders and crews of the merchant vessels of the United States to submit to any regular search by the commanders or crews of French vessels, and to refrain from any force or capture to be exercised by virtue hereof.

*Approved, June 25, 1798.*

[Statute II, page 572.]

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To Isaac Pollock, Washington, from Secretary of Navy

PHILA<sup>a</sup> NAVY DEPARTMENT

25<sup>th</sup> June, 1798

ISAAC POLLOCK Esq<sup>r</sup>

*City Washington,*

SIR, Your favor of the 14<sup>th</sup> June, has been neglected like many other Things, in my new Line of Life. I will have the Subject of a purchase of your Island considered, & let you know before long the Result. In the mean Time, let me know if you please, at what rate you will contract to deliver live oak Timber, proper for Frigates, by the Post and how soon you will undertake to deliver enough for one two or three Frigates at Norfolk, Balt<sup>a</sup> Phila<sup>a</sup> Boston, Portsmouth in New Hampshire — If it be wanted it will probably be at One or more

of these places I presume the Public will advance some money — But ample sec<sup>y</sup>[security] will be required for a strict compliance as to Time & every thing else, for live oak Timber. —

[NDA. GLB, Vol. 1.]

To Rufus King, United States Minister, London, from James Maury,  
United States Consul, Liverpool

LIVERPOOL, 25<sup>th</sup> June 1798.

DEAR SIR, I have the Honor of your Letter of 22<sup>nd</sup> instant & shall pay especial attention to it's contents — The letter for M<sup>r</sup> Pickering is in the *Caroline*, Motley for Philadelphia to sail to-morrow —

There are five or six Vessells expected to sail in Company about the 5<sup>th</sup> next month, several of them to be armed & it is proposed that they continue together all the way out.

I have the Honor to be with perfect respect.

Your Excellency's

Most obedient Servant

JAMES MAURY

His Excellency RUFUS KING

Minister Plenipotentiary to the U. S. A.

London —

[SDA. Liverpool, Vol. 1, C. L., 1790-1800]

[25 June 1798.]

Concerning marines on board the *Constellation*

To The Lieutenants, and Master of the Frigate *Constellation*

GENTLEMEN, The Marines on Board this Frigate have been directed to pull, hawl, and heave at the Capstern, in Addition to the Duty assigned them under the Lieutenant of Marines. No other Duty is expected from them, which you will please to attend, particularly as I have discovered a Carelessness in those People, and Neglect in taking Care of their Cloathes, and of keeping them clean.

I have given M<sup>r</sup> Triplett a Copy of this Order for his Government, and another Copy I forwarded to the Secretary of War with Copies of all general Instructions, which I issue, and request minute Attention to.

I have the Honor to be, Gentlemen, with great Respect,

Your Obedient humble Servant

JUNE 25<sup>th</sup> 1798.

THOMAS TRUXTUN.

T. T. The Lieutenant of Marines is always to parade and exercise the Marines, when in Port, at Sun Rise, and Sun Setting, and to exercise them agreeable to Order, when all Hands are called to Quarters, and the Cannon are exercised. The Lieutenant of Marines will attend to the same Rule at Sea, with this Difference only, that instead of Sun Rise, and Sunset, the Men will parade &<sup>t</sup> at half past 7 AM. and at Sun Setting. —

T. T.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
25 June 1798, Monday

At about 5 PM, anchored in Lynn Haven Bay with the Larboard Bower Anchor in six Fathoms Water, a stick'y Bottom; the Light House when at Anchor bore E.S.E. about five Miles Distance. —

The Fleet anchored at the same Time a little above us. Just as we anchored a very heavy Squall came on from the S.W. accompanied with Whirl Winds, and very sharp Flashes of Lightning and Thunder, which continued most of the Night with constant, and heavy Rains.

Wind from S.S.W. to W.S.W. all these 24 Hours, — most of the Time blowing fresh.

Had all Hands to Quarters agreeable to the Order of Battle & exercised great Guns, and Marines.

The two Schooners sent from Hampton Roads to Norfolk for Water, not having arrived; we were compelled to anchor or leave behind a large Quantity of that precious Article.

I must remark however, that these Boats ought to have returned from the Time they have been absent, before the End of this Day.

The one belonged to the Pilot M<sup>r</sup> Barry, and had his People on Board, the other was hired promiscuously.

[HS of Pa. NDA photostat.]

To The President of the United States from H. Knox

Private

Boston 26th June 1798.

MY DEAR SIR, I have often intended, in the ardor of my unqualified admiration of the measures of the Supreme executive, to express the Same respectfully to you. But hitherto I have been restrained from an apprehension of intruding upon your important duties. A crisis however is rapidly approaching which renders it indispensable that the mind of the meanest citizen be known as to the part he intends to act.

The other nations of the world, if they are not too much occupied by the means of their own safety, and if they are, posterity will be astonished, at the constant perseverance of the different succession of French Rulers rising upon the ruins of each other, and yet holding steadily the same unjust conduct towards us, and urging irresistably, that we either submit to be a dependent portion of that nation, and assist in their crimes, or that we assert our own rights, and repel their disgraceful claims by force. This now is the only alternative. The conflict will be arduous. Our existence as a nation will depend upon our Success.

We ought therefore in its commencement to take every possible precaution, and make every possible establishment, not only to limit the duration of the war to a short period, but to give it a bias towards a successful issue, from its beginning. The people will rest with confidence upon the wisdom of their government (which has managed its political concerns with France in so dignified a manner, as completely to establish its own unoffending purity and truth) that it will take all the measures & money by which the legislature will authorize to secure the United States from external injury. But whether the

authority will in the first instance be adequate; or whether the Legislature are solemnly impressed with the importance of such energetic laws, as shall effectually prevent internally, either opposition to our own government, or assistance to an invading enemy, are highly questionable. Timely precautions on this head may prevent much confusion, distress and bloodshed among ourselves. Every intelligent principle requires, that we should not, like another Switzerland, afford the means of our own subjugation. It may be too late when the enemy makes his appearance, to prevent effectually our own bad people from joining him. And it will be folly in the extreme to suppose that we have not desperadoes desirous of such a step.

Indeed we are vulnerable in the Southern States to an alarming degree. The British navy is the only preventative against an invasion of those States from the West India Islands. But that navy may be prevented by several causes from opposing at the moment the French. A few Ships of war, and the French have a few, would in a few days convoy an army of ten thousand blacks and people of colour in vessels seized from our own citizens. They might land on the defenceless parts of South Carolina or Virginia. Under such circumstances, the slaves would instantly join them, & greatly encrease their force. I do not believe this picture is too highly coloured. The event is possible, and whatever is possible the enemy will have the enterprise to attempt.

New York & its vicinity is of peculiar importance, & at the same time weakness, and too much precaution cannot be taken to prevent a lodgement there. It appears necessary that a body of troops should be in that neighbourhood and another in Virginia for the double purpose of internal & external defence.

New England may be left to its militia, excepting the defenceless and important point of Rhode Island, which ought to be guarded by one thousand good troops to prevent surprize.

If the events here stated be possible only, and I believe they may be deemed probable, if not certain, it would then result that the means afforded the government should be instantly put into effect.

The expence of raising and disciplining the army would be abundantly compensated by its utility. And if anything could prevent an actual war, it would be the prompt preparation to meet it. The enemy are audacious in the highest degree and their success is in a great degree owing to the exercise of this principle.

We have no just cause to fear our ultimate success, because it may be relied upon that our citizens are equal in perseverance, in active courage and in enterprize & Stratagem to the French or any other people on the globe. But instant organization is essential.

Whoever you should please to appoint as the immediate commanding officer of the provisional army you will I am persuaded contemplate General Washington as the efficient commander in chief. His name would be an host, and the occasion would be worthy of his name. He alone would be able to combine and draw into activity, and harmonize all that remains of the late army that could be useful. My diffidence in uttering these sentiments is inexpressible, and only to be equalled by my respect and attachment to you.

After having said so much, I should lose all self respect were I not to say, that if there be any sort of service to which my humble abilities should be judged equal, that I should faithfully and ardently endeavour

to execute it, believing as I do, that the occasion will demand the labours of all the friends of their country to defend its rights and liberties against the all devouring rapacity of the French rulers.

I have the honor to be, my dear Sir,  
with sincere respect & attachment  
your devoted servant,

H. KNOX.

The PRESIDENT OF THE UNITED STATES.

[Mass. HS. Pickering Papers, Vol. 8.]

[26 June 1798.]

To Joseph Sterett, Navy Agent, Baltimore, from Captain Thomas Truxton,  
U S. Navy.

M<sup>r</sup> JOSEPH STERETT  
*Naval Agent*

SIR, M<sup>r</sup> Berry's account settled this Day for Boat Hire, Pilotage, and Attendance on the Ship, amounts to the Sum of Nine Hundred, Sixty three Dollars, and Eighty Cents, which you will pay him, the Statement is made below, to viz:

Boat Hire from 6 <sup>th</sup> April, to 26 <sup>th</sup> June inclusive at 8\$.....	656.
60 Lay Days at \$2.50.....	150.
To Pilotage to Patuxent \$27.50 to Cape Henry \$53.33.....	80. 83
To ditto in and out of Hampton Roads.....	32. 00
To 1 Seine.....	45. 00
	<u>\$963. 83</u>

United States Ship *Constellation*  
off Cape Henry 26<sup>th</sup> June 1798.

THOMAS TRUXTON.

[HS of Pa. NDA photostat. Truxton's LB, 1798-9.]

To Captain Stephen Decatur (senior), U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]  
*Navy Departm<sup>t</sup> 26. June. 1798.*

Cap<sup>t</sup> S. DECATUR

SIR, The Ship *Delaware*, under your Command, being equipped, manned and armed, you will proceed to Sea, with the first fair wind. —

Cap<sup>t</sup> Dale of the *Ganges*, whose cruising Ground extends from Cape Henry to Long Island, being but badly prepared to meet an Enemy, you will endeavour to fall in with him as early as possible and will cruise in Company with him, until the 10<sup>th</sup> of July, unless you should be sooner joined by Cap<sup>t</sup> Barry of the Frigate *United States* — Whenever you are joined by Cap<sup>t</sup> Barry, or on the 10<sup>th</sup> day of July, whether Cap<sup>t</sup> Barry should have fallen in with you, or otherwise — You will proceed to the Southward, and endeavour to fall in with the Frigate *Constellation*, Cap<sup>t</sup> Truxton. — When you have joined Cap<sup>t</sup> Truxton, he being your superior Officer, you will of course consider Yourself under his Command. His cruising Ground extends from Cape

Henry, to the Extremity of our Southern Limits: You will consider your's to be the same, until further orders. —

The President expects that in Conjunction with Cap<sup>t</sup> Truxtun, you will protect this Extent of Coast, to the utmost of your Power — that you will pay particular attention to the principal Harbour of South Carolina & of Georgia: and that you will so act as to afford all possible Protection to the Vessels of the United States, coming on, or going off the Coast against the Depredations of the French Cruisers. —

You will as often as opportunities offer, transmit to Me, a Journal of your Proceedings, & such Events as may be proper to communicate. —

I am instructed by the President, to mention to you, his entire Confidence in your Activity, skill and Bravery — and that the Rights and honor of your Country will not suffer in your hands. —

Inclosed you will receive your Instructions; founded on the present Acts of Congress, & by which you are for the present to be governed. —

Wishing you a pleasant, successful & honorable Cruise, I am &c.

[NDA. OSW, Vol. 1.]

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To Captain Thomas Truxtun, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 26<sup>th</sup> June. 1798.

Cap<sup>t</sup> Th. TRUXTUN.

SIR, Captain Decatur, in the armed Ship, the *Delaware*, now ready to proceed to Sea, will cruise until about the 10<sup>th</sup> of July, between Cape Henry and Long-Island — and at that Time he will endeavour to join you. —

The Southern Coast of the United States, being most exposed to the depredations of the French Cruisers — It affords me great satisfaction, that it is to be protected by Officers of Activity, Enterprize and Bravery, who will not suffer the rights of their Country to be violated, nor it's honor to be insulted, with Impunity, by Vessels, sailing under authority, or the Pretence of Authority, from the French Republic. —

It is the desire of the President, that you will in concert with Cap<sup>t</sup> Decatur's Force, take the best means in your power of fulfilling the objects of your Cruise, as contained in the Letter to you, from the Secretary of War of the 30<sup>th</sup> ultimo. — You will judge from the Information you will be able to obtain of the Force you will be likely to encounter, whether it be necessary that you should cruise in Company with each other — or whether you may not safely separate for several days, taking different Directions. —

Cap<sup>t</sup> Decatur, you will find to be an Officer, ardent to distinguish himself in fulfilling the Expectations of his Country; and from your well known Character, it is not doubted, that every opportunity which Prudence does not forbid, will be afforded him to do so. —

The Congress have not, since the Date of your Instructions, passed any Act, to authorize a Departure from them. —

[NDA. OSW, Vol. 1.]



To Thomas Fitzsimmons, Philadelphia, from Secretary of Navy

[PHILADELPHIA,]

Navy Department, 26<sup>th</sup> June 1798

Tho<sup>s</sup> FITZSIMMONS *Phila<sup>a</sup>*

SIR, A Bill is now before Congress, which it is presumed will pass into a Law, authorizing the President to receive from the Merchants, Four Frigates, carrying not less than thirty Two Guns — It is supposed that one such Vessel may be furnished by each of the large commercial Cities of *Phila<sup>a</sup>* Baltimore — New York & Boston. — The Bill also contemplates smaller Vessels — but these it is imagined the small Towns will supply. —

It appears to me, to be highly desirable, that the Patriotic Merchants and Citizens of *Phila<sup>a</sup>* should furnish one Ship as large as the Contribution will afford, & not less than 32 Guns, even if to build so large a Vessel, some public Money should be required in Aid of the private Contributions. — I say not less than 32 Guns — But if a Frigate capable of carrying 36 or 44 Guns, could be obtained from *Phila<sup>a</sup>* it would be more agreeable, and more useful to the Public. —

Our Three Frigates, already built, are of a Size, one third at least larger than Frigates of the same number of Guns in Europe — An English Frigate of 38 Guns will not measure so much as 900 Tons. — Our 36 Guns Frigate measures near 1200 — I doubt whether a Ship of 900 Tons could not be found equal to 44 Guns. —

[NDA. GLB, Vol. 1.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
26 June, 1798, Tuesday.

All these 24 Hours we have had squally and uncertain Weather, with the Wind blowing from the Southward, and S. W. Quarter, accompanied with much Rain.

Loaded the Great Guns, and got every Thing as clear as possible, received the Water, for which we have been detained, since we anchored in these Roads, and at 11 AM made the Signal for the Fleet to get under Way, — hove up immediately, and at Noon abreast the Light House, standing out to Sea, East by Compass; the whole Fleet being under Sail, and in Order.

[HS of Pa. NDA photostat.]

[26 June 1798.]

Purchase of the Ship *Montezuma*

To UNITED STATES OF AMERICA.

To WILLIAM TAYLOR D<sup>r</sup>

For the Ship <i>Montezuma</i> with all her materials agreeable}	Dollars
to Inventory sold and delivered Jeremiah Yellott Esq <sup>r</sup> }	28, 000

Baltimore June 26, 1798.

W<sup>m</sup> TAYLOR.

[GAO, No. 9884.]

To the Sea Lieutenants and Master, Ship *Constellation*, from  
Captain Thomas Truxtun, U. S. Navy

June 27<sup>th</sup> 1798.

GENTLEMEN, The Watch Lists being subdivided, in the Mode I prescribed, You are to observe, that when all Hands are employed, otherwise than at Quarters; the Division of Work should be made under the various Officers of each Watch, according to the Nature of the Work; as for Instance, when at the Rigging the Master will direct the Boatswain, to employ his first Mate in performing what is to be done at the Foremast, and Bowsprit, and his second Mate, the Main, and Mizzen Mast, and these take in every Thing, that is wanting to be done, or repaired, from the Top Gallant Mast's heads down, as well as the Jib Boom, Gaff and what relates to the Cables, Sails, Anchors, Boats &c. &c. &c. &c. —

In cleaning the Ships, and performing the various Work below, the Boatswain's Mates, under Direction of the Midshipmen, and Master's Mates, are to have that Business performed; the Carpenter, and his Crew, is to have every Thing in Order respecting the Pumps, and what relates to his Duty in stopping Leaks, and preserving the Hull &c. &c. &c.

The Gunner, and his Crew are to see the Guns kept dry, well putty'd, and every Thing belonging to the Cannon, or connected with the Cannon, in good Order, and in Readiness at a Moments Warning.

The Purser, Steward, and Cooper's Duty has been so clearly defined, as well as the other Officers, that it is unnecessary to mention it here.

Whenever a Sail is in Sight, I must be immediately informed Night, or Day, a good Look out must always be kept, and in Day Light a Man at each Mast head. The printed, and other Instructions, if attended to, must make every Thing appear plain, and clear.

The general Superintendence of the Duty is by the Commissioned Officers; The Lieutenants are particularly answerable for what relates to the Guns, in their respective Divisions.

The Master and Boatswain the Riggin &c. — The People as well as Officers must repair to their Stations, whenever all Hands, or the Watch is called, and they are not to leave their Post under any Pretence whatever, without Leave.

We have an Infant Navy to foster, and to organize, and it must be done.

I am, Gentlemen,  
Your Obedient Servant

THOMAS TRUXTUN.

*To the Sea Lieutenants and Master Ship Constellation*

[HS of Pa. NDA photostat. Truxtun's LB, 1798–9.]

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To Secretary of State from United States Consul Elias VanderHorst,  
Bristol, England

BRISTOL June 27<sup>th</sup> 1798.

DEAR SIR. I have been Honored with your Circular of the 22<sup>d</sup> Inst. together with the Copies of Letters and form of a Certificate that accompanied it, and you may depend I shall pay every attention to your Instructions on the subject to which they relate.

The American ship *Roba & Betsey*, Cap<sup>t</sup> Vimmo arrived here last Friday in 29 Days, from Virginia. On the 18<sup>th</sup> Inst. she was Boarded by the Master of a French Privateer Brig of 14 Guns who after examining the Ships Papers & Letters, with so much care as to detain him four Hours, suffered the Ship to proceed on her Voyage for *Hamburgh*, where, *by her Papers* it *appeared* she was bound \* & that the Cargo was American Property consisting of between 5 & 600 Hogs of Tobacco. the Cap<sup>t</sup> says he was treated with great civility & Politeness by the French Officers of the Privateer on board of which he was upwards of three Hours.—

I have the Honor to with the greatest esteem & respects.

Dear Sir,

Your most Ob<sup>t</sup> & Most hb<sup>t</sup> Serv<sup>t</sup>

ELIAS VANDERHORST

\* "tho" in Fact she was bound here.  
[SDA. Bristol, Vol. 1, 1791-1799.]

To Captain Richard Dale, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department. 27. June. 1798.*

RICHARD DALE.

SIR, I have just time to say, that your Letters to the Secretary at War, to the 24<sup>th</sup> Instant, have been received, and that due attention will be paid to their Contents, that your Services heretofore, tho' not so brilliant as your Wishes, have not been the less meritorious or useful — You have frightened the French Cruisers from our Coasts, and have releived in a considerable degree our Commerce from Depredations on our own Shores — Before long, you will be permitted to return into Port, to prepare Yourself better — Cap<sup>t</sup> Decatur will join you for a few days in the Ship *Delaware*, If you see an Advantage by going for a day out of your cruising Ground, your Conduct will be approved. — About the 10<sup>th</sup> of July, Cap<sup>t</sup> Decatur will go South, but before that Time Captain Barry I expect, will join you. —

[NDA. OSW, Vol. 1.]

To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department, 27<sup>th</sup> June, 1798.*

Cap<sup>t</sup> JEREMIAH YELLOTT *Baltimore*

SIR, Your Letter of the 24 Ins<sup>t</sup> is just received — 6000 feet of Copper, will be forwarded to you this day, with the proper Quantity of Sheathing Nails. — The Copper will not all be such as you desired, about ad Oz<sup>t</sup> to the Foot, but will come as near to your Directions as possible. — The Captain and other Officers recommended by you, shall be attended to and without Delay. I will direct the Cambouses for both Ships to be forwarded to you from New York. —

There is a Bill before Congress which will pass into a Law, authorizing the President to receive from the Merchants, Ships of 32 Guns & upwards, as well as small Ships. It is hoped that the Merchants of Baltimore Phila<sup>a</sup> New York & Boston, will each furnish a Ship of the

largest size, instead of two smaller Ones. — The smaller Towns will furnish the smaller Ships. The Money expended by the Merchants will be paid in 6 p. C<sup>t</sup> Stock — The Merchants here are about to begin a Ship of 1000 Tons, to carry 44 Guns — I hope one at least as large can be built at Baltimore, where the Spirit of the Merchants and Citizens has been so patriotically displayed, in the size of their subscription. Will you be so good as to communicate with M<sup>r</sup> Oliver and other Gentlemen, on this subject.—

[NDA. GLB, Vol. 1.]

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To George Champlin, Newport, R. I., from Secretary of Navy

[PHILADELPHIA,]

Navy Department, 27<sup>th</sup> June 1798 —

GEORGE CHAMPLIN

*New Port R. Island*

SIR, Your Letter to M<sup>r</sup> Wolcott of the 19<sup>th</sup> Ins<sup>t</sup>, is now before me, — It gives me pain, that the situation of your health, will not permit you to render those services to the public, to which you are so competent. —

The Ship building at Warren by Mess<sup>rs</sup> Gibbs & Channing, appears from her Dimensions & their Description, to be such a one as will suit the Public, and their Terms, except their Commission of 5 p. C<sup>t</sup> reasonable. — But it is right that some Gentleman of competent knowledge on the subject, & of Character to be relied on, should first examine her, before She be purchased for the Public. — Your relation in Congress, encourages me to expect, that you will take this Trouble — and if upon a View of her, She meets your Approbation, then the Letter inclosed with Mess<sup>rs</sup> Gibbs & Channing, closing with their offer, except in the single Instance of 5 p. C<sup>t</sup> Commission, may be delivered to Them.

Cap<sup>t</sup> Christopher Raymond Perry, will command this Ship. It is desirable, that the Captain should like his Ship — if he also approved of her, it would be an agreeable circumstance. —

I must solicit the favor of you to drop a Line to Cap<sup>t</sup> Perry on this Subject. You know where to direct to him. I do not. No answer having been rec<sup>d</sup> to a Letter written him the 9<sup>th</sup> Instant. —

[NDA. GLB, Vol. 1.]

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From Secretary of Navy

[PHILADELPHIA,]

Navy Department. 27<sup>th</sup> June. 1798

JOHN MURRAY GEO. BARNEWALL W<sup>m</sup> BAYARD J. P. MUMFORD & J. C. CLASON. *New York*

GENTLEMEN, I am honored with your Letter of the 26<sup>th</sup> Ins<sup>t</sup> — There is a Bill before Congress, which there is no Doubt, will be passed into a Law, authorizing the President to receive from the Merchants &<sup>9</sup> Four Ships, to carry not less than 32 Guns — It is hoped that New York, Boston, Phila<sup>a</sup> & Baltimore will each furnish one such Vessels, instead of more of smaller size, as it is expected, that the latter can be obtained from the Towns of less commercial Importance.

The Money advanced by the Merchants is to be returned in six p. cent Stock of the United States. —

The Merchants of this place are about determining to set up a Ship of about 1000 Tons, to carry 44 Guns. — If those of New York can undertake one of similar Size — or one not less than 36 Guns, it would better answer the Views of Government, than to obtain from them two twenty Gun Ships. —

Presuming that the Merchants of New York, will undertake a Ship of 36 or 44 Guns, I will in a day or two forward on the Dimensions for each size — and in about Ten Days will send on the Model for the size adopted. In the mean Time, if it be thought proper, Preparations for Beginning can be making — as with all the Efforts of Patriotic Citizens like Yourselves. The Vessel may be wanted before She can be finished. —

[NDA. GLB, Vol. 1.]

To Gibbs & Channing, agents, Newport, R. I., from Secretary of Navy

[PHILADELPHIA,]

*Navy Department, 27<sup>th</sup> June, 1798.*

GIBBS & CHANNING, *New Port*

GENTLEMEN, Your Letter to G. Champlin Esq<sup>r</sup> is now before Me. —

Altho' from the respectability of your Character, I should not in my private Concerns hesitate a Moment to purchase your Ship, upon your own Representation of her — yet, acting for the Public it may be incumbent on me to make use of a Precaution, which I should not think of in my own Case. —

I have, therefore, requested the favor of M<sup>r</sup> Champlin, to view the Ship, and if he approves of her for a Public Ship of War; I agree to take her for the public Service on the Terms of your Letter to him, except in the single Article of 5 p. C<sup>t</sup> Commission, which is more than the Public has paid — and which I flatter Myself, Gentlemen of your Patriotism, will not in the present crisis of our Affairs, requiring the Aid of every heart and every hand, exact. —

The Dimensions of the Ship are very pleasing, and the Character of the Builder stands high — I shall therefore have but few Directions to give. — It is of the first Importance, that She be a swift Sailor.

The hold must be 11 feet (Beam to spring four Inches) — height between Decks, 5 feet 10 Inches — Waiste 6 feet. — This I understand can be easily done & without additional Expence — And this being done, the Ship will carry 24 — 12 Pounders on her main Deck, if found expedient — & six 6 pounders on her Quarter Deck and Forecastle. —

Cap<sup>t</sup> Christ<sup>r</sup> R. Perry who will command this Ship, will pay Attention to her Building & fitting for a Ship of War. —

She may be sheathed and coppered in the manner you propose in your Letter to M<sup>r</sup> Champlin — tho' in other Instances the Iron Bolts have been rejected. —

It will be desireable, to get her to Sea as early as possible — sooner than 90 days if practicable, by setting a greater Number of hands to Work. —

It is not doubted that you will build & equip her with the same Regard to the purchase, & contract for Materials, as if intended for your own Service. I must rely on you to procure the best of Cordage — Sails — Cannon, & every Article, to complete her for a Cruise. Any Article which you can not obtain, shall be furnished, if you will let me know in Season what you can not procure.

For your Expenditures on the Hull of the Ship, I will agree that you be allowed at the rate of 5 p. C<sup>t</sup> Commission, as you have already made Advances — But for all your other Expenditures, You must be content with a Commission of 2 p. C<sup>t</sup>, which is the Commission paid by the Public in all similar Cases. and with which I hope you will be satisfied. You must consider, that a part of your Compensation will be received in the satisfaction of rendering a public service, at a Time when the Public stand in need of the services of all the Friends of the Government. —

Money shall be advanced from Time to Time, on your Requisition, and as you may want It.

[NDA. GLB, Vol. 1.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
27 June 1798, Wednesday

At 4 PM I discharged the Pilot, having previously delivered him my Dispatches for the Secretary of War, under Cover to M<sup>r</sup> Joseph Sterett, Naval Agent, at Baltimore, with Instructions to forward the same to Philadelphia, as soon as he received them.

At 6 spoke a stout Ship from Hamburg bound to Baltimore. As she had taken a Pilot on Board, and was standing in, I did not send a Boat on Board her, they informed of having had Fifty three Days Passage, and meeting no Cruizers, and that there was no News at Hamburg.

Throughout the whole of these Twenty four Hours, — stood off to the Eastward, the Weather very uncertain with large Quantities of Rain, and the Wind variable. At Noon all the Fleet in Company, but one Brigg, which bore away to the S.E. about 7 AM. This Vessel, I understand, is owned by a M<sup>r</sup> Kennedy of Baltimore. No observation of the Sun to Day, but the Depth of Water at Meridian — was Sixteen Fathoms, brown Sand, and Shells, with green Moss on the Shells. The Latitude by Account 36.43' N<sup>o</sup> and the computed Bearing, and Distance of Cape Henry from the Snip was W.N.W. sixteen Leagues.

It is well to remark in this Place, that it is high Water at Cape Henry full and Change at  $\frac{1}{4}$  past 11 o'clock, and at Cape Charles two Hours earlier. In coming from the Southward, and bound into the Bay of Chesapeake, keep in six Fathoms Water, and do not go off beyond nine Fathoms.

In Doubling the Cape, the Water deepens so, that you get into 10 or 11 Fathoms, and when the Cape bears South borrow into 6 Fathoms, and then run up West, untill the Cape bears East South East, then steer West North West, and keep in from Seven to Five Fathoms. On the Horse Shoe the Bottom is hard, and on the South Shore into Four, and half Fathoms, it is soft. Coming from the Northward, do not attempt entering the Chesapeake Bay, untill the Cape bears

from West, to West North West, on Account of the Middle Ground, that is, if your Vessel is of a great Draught of Water, for only four Fathoms is to be found in that Bank, with the Cape bearing West.

[HS of Pa. NDA photostat.]

[27 June, 1798.]

Extract of a letter from Major Lewis Toussard to the Secretary of War, dated Fort Mifflin, June 28, 1798, regarding a sloop-of-war manned by Negroes

SIR,

"I have the honor of informing you, that yesterday, ten o'clock in the evening, the Resident Doctor of the Hospital of Pennsylvania came on purpose to give me the alarming information, that there existed a mutiny among the vessels in quarantine, now lying above the Fort; that he thought, in consequence of the report of four of the captains, it was proper to postpone till the morning, the order of the Governor of Pennsylvania, to be made known to the convoy. The boat of the sloop of war manned only with negroes, has been seen the whole day plying round all the other vessels which have negroes on board; they seem to have adopted between them the most desperate measures to the execution of which they are incited by their owners. There is now in those vessels between 250 and 300 negroes, well armed, trained to war, and saying they will land. They know no laws and count their lives for nothing.— Two of the pilots have left the vessels, one of them was so alarmed that he is sick at the hospital.

"On this information, I immediately sent an officer to captain Stephen Decatur, whose armed ship was at anchor below the Fort, with a request of coming up with the tide, and cast anchor on the north east side of the island, where I had no guns to direct upon the insurgents. During that time, with the assistance of the laborers, whose exertion, I cannot but highly commend, I had two heavy pieces transported and mounted on that side, when the *Delaware* passed up, and went to anchor in the middle of the convoy; she is now under weigh and proceeds down.

"As to oppose the landing of these negroes, and their proceeding thro' Jerseys with their owners to Philadelphia, it is not in my power, in the situation they lay above the fort. I have agreed with the Doctor, that he would order them this morning below and abreast of my battery — then I may watch their motions."

[LC, "Argus, or Greenleaf's Daily Advertiser" (New York), 2 July 1798.]

To Captain Stephen Decatur (senior), U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 28. June. 1798.

Cap<sup>t</sup> S. DECATUR

SIR, I have your Letter of this day. You will receive a Letter from me, by a Pilot, dispatched for the Purpose, requesting you to remain near the Vessels with the French Passengers and Negroes,

until Congress determine what is to be done with them. — You have acted with great Propriety and Prudence. —

[NDA. OSW, Vol. 1.]

To Captain Stephen Decatur (senior), U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy office, 28. June. 1798*

Cap<sup>t</sup> STEPHEN DECATUR

SIR, The Vessels under Quarantine, near Fort Mifflin, have a Number of Passengers on board, French Men and Negroes. — The Negroes it seems are impatient to land & have discovered a Disposition to outrage. —

Congress have the subject of these People before them, but until they determine what shall be done with them, it is expedient that they should be prevented from landing, if they should attempt it, without Permission or by Force. —

Under these Circumstances, you will immediately move your ship up to Fort Mifflin & take a Position between the Vessels and the Jersey Shore, so as to give the most effectual Aid in your power to the commanding Officer of the Fort, with whom you will communicate, in keeping these People in Subordination and order, & in preventing their landing on either shore — or moving down the river to land at any other Place. —

You will use every degree of Prudence, to avoid coming to Extremities, but at all Events the Negroes are not to be suffered to land, until Congress shall have come to a Decision respecting Them. —

[NDA. OSW, Vol. 1.]

To James Watson, Navy Agent, New York, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department, 28<sup>th</sup> June 1798.*

JA<sup>s</sup> WATTSON, *New York*

SIR, The Sec<sup>y</sup> of the Treasury having commenced a Correspondence with you, on the subject of procuring a Ship for the United States, & informing me that you will take upon Yourself the Trouble of contracting for one to be built in New York, I take the Liberty of requesting that you will as early as possible contract for the Building of one to carry twenty four Guns, having regard to the following principles. —

1st. that the Materials be of the best live Oak or red Cedar, except the Floor Timbers & Floor Futtocks — or of the best seasoned white Oak, to be determined by Inspection. No Timber inferior to seasoned white Oak to be used. —

2nd. The Public to furnish the Copper Sheathing, Copper Bolts and Spikes — The Iron Work to be contracted for separately by the Pound, and delivered under the Check of an Agent. — the whole of the Materials however to be placed in the Ship, at the Expence of the Contractor. —

3rd. The Dimensions to be 93 feet keel, 31 Feet Beam, & 13½ feet hold — to be pierced for 20 Guns, exclusive of the Bridle Ports on



the main Gun Deck, and two on the Quarter Deck — to have an Orlope Deck, and to be of sufficient Strength, and in all Respects completed for a Ship of War. Permission to be reserved to vary the Dimensions but without injury or Expence to the Contractor. —

4th. The Contract must be made per Ton of Carpenter's Measurement, according to the rule in Phila<sup>a</sup> — the shortest Time possible must be given for launching & completing the Ship — It is hoped the Time will not exceed 90 days.

5th. A Bond with Sureties to be required to secure the Execution of the Contract, and a due Settlement for all Advances. —

6th. No after Bills to be admitted. —

It will be important to dispose of the Business in such a Manner, that it will proceed with Dispatch and order — of course the Contract should be made with none but a man of Skill and responsible Character. — And I must depend on you to procure the Sails — the Riggging, Guns, Copper and every Article wanted for the Ship, to fit her for a complete sloop of War — & so to make your Arrangements, as to let nothing be waited for. —

The Compensation heretofore given by the Public for such Services, has been 2 p. Cent. on all Expenditures — The Public furnishing the Money as wanted. — It is expected you will be content with the same, in addition to the Satisfaction of rendering important Service to your Country. —

This Ship is for Captain Morris, who will give some Attention to her Building. —

[NDA. GLB, Vol. 1.]

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To Nicklin & Griffith, Philadelphia, from Secretary of Navy

[PHILADELPHIA,]  
Navy Office, 28<sup>th</sup> June 1798.

Mess<sup>rs</sup> NICKLIN & GRIFFITH

The Secretary of the Navy having some communications to transmit to Captain Decatur of the *Delaware*, requests Mess<sup>rs</sup> Nicklin & Griffiths will be so good as to procure a careful Pilot with the greatest Dispatch possible — it will be necessary that he should call at the Navy Office, by which Time the Dispatches will be ready — If M<sup>r</sup> Gerret Hulsacamp is up, he is a trusty Person and has been employed to carry Orders to Captain Dale — He resides at N<sup>o</sup> 16 South Street. —

[NDA. GLB, Vol. 1.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
28 June 1798, Thursday

At 4 PM brought to the Schooner *Andrew* from Philadelphia, bound to Charleston, South Carolina, the Master informed me, that the Frigate, *United States* was between Philadelphia, and Marcus Hook, when he sailed; and that he spoke the *Ganges* off the Delaware.

At 5 Ditto fired a Gun to Leeward, and hoisted the Ensign at the Ensign Staff, as a Signal for parting with the Fleet, there being no

strange Sail in Sight, and my Promise being performed of convoying those Vessels about Twenty or Thirty Leagues at most from Cape Henry.

Being in Twenty Fathoms Water, and at the Distance of Twenty one Leagues from Cape Henry, when I left the Fleet, with the Wind at East, I bore away to the Southward, in Order to pass Cape Hatteras as soon as possible, and so proceed on as far as the Southern Limites of my Station.

At 7 AM spoke a Brigg, belonging to M<sup>r</sup> Marcus M<sup>c</sup>Causlin of Baltimore; from the Havannah, bound to Baltimore, out nine Days, and had seen no Cruizers.

Throughout the whole of these Twenty four Hours, we have had light variable Winds, but mostly from the Eastward. No observation of the Sun. — Latitude Account 36°5' North Longitude Account 74°35', West from Greenwich in GB

[HS of Pa. NDA photostat.]

[29. June 1798.]

Order to the Sea Lieutenants and Master, etc., from Captain Thomas Truxtun,  
U. S. Navy

#### ON BOARD THE *Constellation*

Order for the Preservation of Health, and Care of Water, to commence on the 29<sup>th</sup> of June 1798 —

At seven Bells, or at half past seven o'clock every Morning, the Crew is to be served one Pint of Water. at half an Hour before Noon, one Pint of Grog. — At half past 3 in the Afternoon, another Pint of Grog; at half an Hour before Sun Set every Evening they are to have served them a Pint and half a Pint of Water, making in the whole four Pints, and half a Pint of Water, and half a Pint of Rum, which is mixed as aforesaid. —

This is the Allowance of Rum and Water, — (Exclusive of that for boiling Pease) for Twenty four Hours, under existing Circumstances, and is to continue, untill further Orders from me in Writing.

In serving out the Water, each Man may be allowed, to take his Allowance with him, provided he has Anything to put it in, those who have not, must have it put in the Scuttle Cask, under a Centinel who is to guard the same with a Cutlass; as no Muskets are suffered on Deck at Sea, but when at Quarters. —

N. B. No more Water is to be allowed for my use, than for any other Man — without a Special Order, two Quarts per Day excepted for the Use of Officers at my Table. —

THOMAS TRUXTUN.

*To The Sea Lieutenants and Master &C.*

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

Navy Department June 29. 1798

JEREMIAH YELLOTT

SIR The President has this day nominated to the Senate, the following Officers

I[saac] Phillips	to be Captain
Josias M. Speake	} to be Lieutenants
John West	
George Calder	} to be Midshipmen
Arthur Sinclair	

and there is no doubt they will be appointed; — Should you have appointed a Midshipman, one of these may be turned over to the *Montezuma*. The President desires the name of the *Adriana* to be changed into that of the *Baltimore*, & wishes — the Ship may prove herself worthy of the name; — there have been heretofore sent to you, two Statements shewing the number & grades of Officers allowed to Ships of the size of the two under your direction; — please to forward on the names of proper persons to fill the different Stations, still vacant for the Ship *Baltimore*; a Doc<sup>t</sup> Wells has been recommend[ed] for Surgeons Mate, is he proper?

[NDA. GLB, Vol. 1.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
29 June 1798, Friday

The Wind blowing fresh from the South East, and every Appearance of a Gale, at 2 PM took in the Jib, and Stay Sails, and hawled the Main Sail up. At 5 PM exercised Great Guns, and Marines, and at 6 Ditto tacked to the Eastward, and handed the Main Sail, Not thinking it prudent to approach the Land at Night with such Appearances.

At 10 in double Reefs, the Gale encreasing at South South West; at 2 AM, it blowing harder, took in the Top Sails; the Rigging having got very slack, I sat up the Lee Shrouds, and the Stays.

At 9 AM the Wind being at West, and clear, made all Sail. Several Merchant Vessels in Sight, bound in. Employed in repairing Sundries, Latitude observed 35°20' N<sup>o</sup> Longitude Account 74°00 Minutes. Put the People to an Allowance of four, and half Pints a Man, exclusive of Water for cooking and ordered their Allowance of Provisions &c strictly to be served out, agreeable to Act of Congress.

[HS of Pa. NDA photostat.]

To John Murray, George Barnewall, and others of New York from Secretary of Navy

[PHILADELPHIA,]

Navy Department June 30<sup>th</sup> 1798

JOHN MURRAY GEORGE BARNEWALL & others

Comittée Merch<sup>e</sup> New York

I have the honor to transmit herewith the principal dimensions of Ships of War, calculated to carry 44. 38. & 36 Guns of 18 pound Calibre on the Gun deck.

As soon as the Committee have informed me of the Force & dimensions of the Ship to be built by the Citizens of New York, I will direct a Draft to be prepared without delay.

I have this moment received your Favor of the 29<sup>th</sup> Ins<sup>t</sup> although the Bill mentioned in my Letter of the 27<sup>th</sup> has passed both Houses, I am not yet in possession of it, I hope on Monday to be able to be very particular, in the meantime I can only say, it will be infinitely most desirable to have a large Ship if the Public contribute to the building of it.

[NDA. GLB, Vol. 1.]

[Enclosure]

*Dimensions of Ships of War calculated for carrying 18 pounds*

	Ships of 44 Guns	Ditto of 38 d <sup>o</sup>	Ditto of 36 d <sup>o</sup>
Number of Guns on Main Deck.....	30	28	26
Weight of Metal.....	18 Pounds	18 Pounds	18 Pounds
Length of Gun deck between the perpendiculars.....	167.6	155.7	144.2
Length of Keel for Tonnage.....	140'-"	130'-"	120'-"
Moulded breadth of Beams.....	40-	38½	37
Depth of Hold.....	13-	12-	11.3
Height between decks.....	6-	5.10½	5.9
Height from Gun to Upper Deck.....	6.9	6.6	6.3
Carpenters Tonnage by the Old Mode.....	1178½	1014½	864½

(Signed) JOSHUA HUMPHREYS —

JUNE 28. 1798

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
30 June 1798, Saturday

At 5 PM came on a Squall from the Westward, which shifted the Wind round to the N. West, and brought us clear, pleasant Weather, the Gulph Stream this Twenty four Hours sat us to the Northward 45; consequently it must have run with very great Velocity indeed.

At 6 PM brought to with a Shot, a Brig from New York, bound to Savannah in Georgia (belonging to Major Saunders) out 13 Days; the Master had seen no Cruizers; at 7 Ditto spoke a Sloop from Baltimore, bound to Charleston, South Carolina; at 10 AM brought to after a short Chace, a Schooner from Georgetown called the *Nancy*, Benjamin West Master bound to Philadelphia, this Man informed me, he had been chased by a Schooner yesterday afternoon; I inquired of him how he had steered since, and he told me N. E. B. E., I accordingly directed the Course to be steered S. W. B. W., in Hopes of falling in with this Vessel.

Latitude observed 34°38' N° Longitude Acc<sup>t</sup> 75°11' W

[HS of Pa. NDA photostat.]

[1 July 1798.]

To Lieutenants Rogers, Cowper, and Sterett, Doctor Balfour, Lieutenant Triplett of the Marines, and Messrs. Shirley and Garretson from Captain Thomas Truxtun, U. S. Navy

Captain Truxtun presents his Compliments to the Gentlemen of the Gun Room to viz: Lieutenants Rogers, Cowper, and Sterett. Doctor Balfour, Lieutenant Triplett (of the Marines) and Messrs. Shirley & Garretson, and requests the Favour of their Company, to dine with him in Rotation, on the following Days, without further Invitation. Some Neglect of his Steward has induced Captain Truxtun to have Recourse to this Mode of inviting, and entertaining his Officers, which he hopes will be equally as agreeable, as a particular Invitation.

On Sunday the Officer of the Watch bringing 12 o'clock on that Day, as also Doctor Balfour.

On Monday ditto, with Lieutenant Clinch of the Marines —

On Tuesday ditto, and first Lieutenant

On Wednesday, M<sup>r</sup> Shirley the Master, and M<sup>r</sup> Garretson, Purser

On Thursday, Officer of Watch with D<sup>r</sup> Balfour

On Friday, Lieutenant Clinch and M<sup>r</sup> Shirley

On Saturday, Officer of the Watch, & M<sup>r</sup> Garretson

The Hour of dining is  $\frac{1}{4}$  past two o'clock. —

UNITED STATES SHIP, *Constellation* 1<sup>st</sup> July 1798

M <sup>r</sup> VanDyke	✓	Van Dyke
M <sup>r</sup> Dent	✓	Dent
M <sup>r</sup> Clagett	✓	Clagett
M <sup>r</sup> Porter		Porter
M <sup>r</sup> McDonnough		M <sup>re</sup> McDonnough
M <sup>r</sup> Talbott	✓	Wederstrant
M <sup>r</sup> Robinson		Harvey
M <sup>r</sup> Wederstrant		Davis
Doctor Harvey		✓ Robinson
M <sup>r</sup> Davis	✓	✓ T Herbert
<del>xxxxxxx</del> M <sup>r</sup> Herbert	✓	✓ Sinclair

Captain Truxtun presents his Compliments to the above Gentlemen & requests the Favour of their Company to Dinner in Rotation, every Day at one Quarter past Two o'clock.

United States Ship *Constellation* 1<sup>st</sup> July 1798 —

THOMAS TRUXTUN.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

Extract from Captain Thomas Truxtun's Journal, U. S. Frigate *Constellation*,  
1 July 1798, Sunday

Light Airs from the Westward throughout the whole of this Day, and clear. The Gulph Stream I find to have sat us 45' to the Northward, of Course that much to the Eastward, as it runs N. E. the latter Part, wore Ship, and stood to the Southward. Exercised Great Guns, and Marines, &c. &c. Nothing further remarkable — Latitude observed 35°23' N<sup>o</sup> Longitude 74°16' W.

[HS of Pa. NDA photostat.]

[2 July 1798.]

Captain Truxtun concerning mutinous assemblies on board  
U. S. Frigate *Constellation*

WHEREAS it has been represented to me by unquestionable Authority in various Ways, that there has been several mutinous Assemblies on Board of the United States Frigate, *Constellation*, under my Command, and that the same has been made, with a View to excite, cause, and effect a Mutiny, to the great Injury of the Naval Service, and of the People, and Government of the said States: And whereas the Promoters thereof are well known to me, I have thought proper to give this public Warning (after first causing the Articles of War to be read, as a second Proof of the Mildness with which I commenced, and hoped to have been enabled to succeed in the Government of the Ship) to viz:— That in Case I ever hear of a Murmur in the Ship, or any Expressions, that have a Tendency to disorganize, or cause Disorder, or Discontent in any Way whatever, or of any Threats, I am determined to put the following Article of War in Execution, and comply strictly with the Orders of the President of the United States.

The Article is in these Words

“Any Officer, Seaman, or Marine, who shall begin, excite, cause, or join in any Mutiny, or Sedition in the Ship to which he belongs, on any Pretence whatsoever, shall suffer Death, or such other Punishment, as a Court Martial shall direct. Any Person in or belonging to the Ship, who shall utter any Words of Sedition, and Mutiny, or endeavour to make any mutinous Assemblies on any Pretence whatsoever Shall suffer such Punishment, as a Court Martial shall inflict.

The Order of the President of the United States under the Head of Regulations respecting the Duties of Officers at Sea in the 23<sup>d</sup> Article, runs thus.

He will (speaking of the Captain) be ready on the first Appearance of Mutiny to use the most vigorous Means to suppress it, and to bring the Ring leaders to Punishment.

In the 48<sup>th</sup> Article it is thus

He will pay Attention to, and maintain the strictest Subordination among the Officers, and among the People of the Crew, he will not suffer any Boat to leave the Vessel, unless there be a trusty Person, or Officer on Board who will be responsible for it's Crew, and their Behaviour on Shore.

In the 68<sup>th</sup> Article it is thus

As soon as a Vessel of the United States shall have set Sail, the Commander will see, that his Officers discharge their respective Duties with the greatest Vigilance, and Exactness.

In the 85<sup>th</sup> Article it is thus

He will conduct himself during his Voyage, or Campaign according to his Instructions; if his Mission has for it's Object to cruize to

cover the Trade of the Citizens of the United States, he will perform it so, that there will remain to him on his Return to Port, but fifteen Days Provisions for his Crew, unless he receives contrary Instructions from the President, or is forced to return sooner by some unforeseen Cause, which cannot admit of Delay.

Under Regulation respecting the Watch Article 6<sup>th</sup> it is thus

The President strictly enjoins the Captain of every Vessel, to keep, during the whole of the Watch an under Lieutenant, or where Circumstances will not admit of employing an Officer of this Grade, a Midshipman upon the Fore-Castle to maintain Order and Vigilance.

Under Regulation respecting Provisions Article 5<sup>th</sup> it is thus

One half Gallon of Water at least shall be allowed every Man in foreign Voyages, and such further Quantity, as shall be thought necessary on the Home Station, but on particular Occasions the Captain may shorten this Allowance.

Having thus quoted that Part of the Articles of War in Question, and the public Instructions of the President (to say Nothing of my private Instructions from Government which can never be communicated) no Person whatever can commit any Misdemeanor, and plead Ignorance after. Altho' like other Nations we make a System for ourselves, the Government is just, and mild in every Respect, and my Conduct has uniformly corresponded with it. If I have at any Time erred, it has been in not observing that Rigor, — which the infamous Conduct of some On Board have deserved, and which I should have been warranted in inflicting by the Orders of the President, and the Articles of War just read in toto. It is well known, that since the first Man was entered for this Frigate to the present Moment, only one (a worthless Marine) among the Numbers that have deserved it, has been seized up, and flogged, and that Man, I afterwards turned on Shore, as a Disgrace to the Ship, finding he was too abandoned to give me any Hope of a Reform. Notwithstanding this Fact, such has been the Conduct of some on Board, that various Things have been represented otherwise, and that too with Circumstances of Aggravation. —

You have the Law before you, and, I repeat, you know the Consequence, if, in future, you transgress. I must and will do my duty, and every Governor, and Officer, Civil and military in every State in the Union, as well as all those Nations, with whom we have Treaties, is obliged to aid and assist me, wherever, I go, in bringing to Justice any Offenders. The Seamen of Great Britain have sat such an Example of Infamy, that the Marine Laws of the United States, England, France, Spain, and Holland, as well as the Rest of the Maritime Powers of Europe, have been, and will still be made more severe in Consequence thereof. It is the Interest of all Parties at War, to pass Laws, and check such Proceedings, and it has been wise in them to do it. Having the best Disposition towards my People, I hope after this Statement, and this Warning, I shall behold a contrary Behaviour in those, who have been misled, and that the Corrupt, and evil minded will be watched, and guarded against, as so many Serpents.

Should Injustice be done you, or any of you at any Time, make your Complaints with Decency, and in an orderly and becoming Manner, and I will always hear, and remedy them.

United States Frigate, *Constellation* at Sea, 2<sup>d</sup> July 1798.

THOMAS TRUXTUN.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Captain Thomas Truxtun, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 2 July. 1798

THO<sup>s</sup> TRUXTUN

SIR, The enclosed Letter, given to me by the Speaker of the house of Representatives, has created a little Alarm among some of the Members of Congress, I hope without Reason, but it shews that there is a spirit of Mutiny in some part of your Crew, which should be suppressed by every prudent Means.

I send you the original Letter, that you may discover the Writer — I should presume, that your safest Line of Conduct would be, to take no Notice of having received such a Letter — to examine well, whether the Sailors have any just Cause of Dissatisfaction on the score of ill Treatment from any of the Officers, which I cannot suppose, — to reform silently any abuse of Authority: — and to suffer to exist no just cause of Complaint, against oppression by the Officers, — nor on the score of Provisions — By causing full Justice to be done to the Sailors, you will be more justified in treating as they merit, at a proper Time, those turbulent and ungovernable Men (and such there is too much reason to dread will find their way into the American Navy) who can only be restrained by Severity. —

I would beg leave to suggest, the propriety of your discharging with disgrace, at the first Port you put into, if you should discover them, the Writer of the Letter & his Confederates, sending their Names, Country and Description of their Persons to me; that measures may be taken, to prevent their being received hereafter into our Navy.

Cap<sup>t</sup> Barry, in the *United States* Frigate, will be out in a day or two — Cap<sup>t</sup> Decatur has already sailed — I have no doubt, you will have your Ship & Men in such order, as to be ready to undertake in a Moment, any Enterprize — You may expect to hear from Me again, in a few days. — I have desired M<sup>r</sup> Pennock to send a Pilot Boat after you with this. —

I have the honor &c

[NDA. OSW, Vol. 1.]

To Benjamin Lincoln, Collector, Boston, from Secretary Oliver Wolcott

[PHILADELPHIA,]

Treasury Department, July 2, 1798.

BENJAMIN LINCOLN Esq.

Collector of Boston

SIR, I enclose a Commission for Jonathan Chapman to be Commander of the new Revenue Cutter building at Newburyport also



an act of Congress passed on the 22<sup>d</sup> June 1798 authorizing an increase of the complement of the Cutters to a number not exceeding Seventy Marines and Seamen.

You will inform Captain Chapman that his pretensions to an appointment with rank in the Navy will be hereafter considered; the same observations may be made to Captain Williams — the old Cutter is to be continued in service the present season and exclusively devoted to the service of the Revenue. The new Cutter is to cruize in concert with the *Herald*.

Captain Chapman is to look out for a sett of officers for whom he will be responsible they must be men who can be recommended also by yourself and Mr. Higginson — If the vessell can be got ready for sea before Commissions for the subordinate officers can be made out and transmitted you will make out Certificates to be signed by yourself as Collector denoting the stations in which they are to serve the vessell will proceed to sea and the Commissions hereafter transmitted. It may be expedient for you to concert with Mr. Higginson suitable arrangements for the new Cutter. I shall be satisfied if the direction of the equipments is assigned to him the expense must however be distinctly stated and must be paid out of the proceeds of Revenue collected in your office.

I am very respectfully Sir,

Your Obedt. Servt.

OLIVER WOLCOTT.

P. S. The enclosed instructions and marine regulations you will be pleased to deliver to Mr. Chapman.

[TDA. Coast Guard, Out. Letters, No. 0, 1790-1833.]

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To William Pennock, Navy Agent, Norfolk, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department July 2<sup>d</sup> 1798*

WILLIAM PENNOCK *Norfolk*

SIR, Presuming that Cap<sup>t</sup> Truxtun has left Hampton Roads — I have to request that you will immediately employ a Pilot Boat to carry the enclosed Letter to him —

His present Cruising Ground, is between Cape Henry & our Southern Extremity. This if not before known, please to keep to yourself. —

[NDA. GLB, Vol. 1.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
2 July 1798, Monday

Alternately fresh and light Breezes from the Southward with pleasant Weather all these Twenty four Hours.

At 7 PM spoke a Schooner from Boston bound to Savannah, she was called the *Republican*, and informed us, that the Frigate, *Constitution* had some Difficulty in manning, but would be at Sea in two Weeks.

Called all Hands, and had the Articles of War read to the People, with a Paper I prepared for the Occasion, having had some Information of Discontents appearing among some of the men.

Was flogged at the Gang Way (by my Order) John Dianen, a Marine, with one Dozen of Stripes on his bare Back, with a Cat of nine Tails, for Insolence to the Sergeant of Marines, and endeavouring to arrest a Pistol out of his Hands.

Latitude observed  $34^{\circ}45'$  N<sup>o</sup> Longitude Acc<sup>t</sup>  $72^{\circ}36'$  [W].

[HS of Pa. NDA photostat.]

To Samuel Sewall from Secretary of Navy

[PHILADELPHIA,]

Navy department, 2 July 1798. —

SAM<sup>l</sup> SEWALL

SIR, The Letter of which the above is the Copy, was I believe sent to you several days ago without the Estimates. Presuming, that the Estimates may still be useful I have now the honor of forwarding them.

I will take the Liberty to add, that the Frigates carrying 38 Guns in the British Service, the largest sized Frigates they employ, measure not exceeding 940 Tons. The Frigates heretofore built the *Constellation* to carry 36 Guns, but actually carrying 38, measures upwards of 1300 Tons. It is still to be determined whether, a Ship carrying the same Number of Guns, is better for being so much larger, than the size adopted by the British Nation.

[NDA. GLB, Vol. 1.]

To Samuel Anderson from Secretary of Navy

[PHILADELPHIA,]

Navy Department 2 July 1798

Doc<sup>t</sup> SAM<sup>l</sup> ANDERSON  
Present

SIR, The Ship *Delaware*, now on her way out on a Cruise, will be past your reach if you wait to get a regular Appointment of Surgeon's Mate — which will require Two days, perhaps three —

If you will immediately proceed after the Ship, & enter upon the duties of Surgeon's Mate, I will present your Name to the President for that Appointment, and there can be no doubt of your receiving it. —

[NDA. GLB, Vol. 1.]

To Captain James Sever, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Depart<sup>mt</sup> 2 July. 1798.

JA<sup>s</sup> SEVER

SIR, The Officers and Men, engaging in the Navy Service who leave Wives or Children behind, may have any Proportion of their Monthly Pay, not exceeding one half, advanced Quarterly to their Families — But the Person who avails himself of this Privilege, must leave a Power of Attorney witnessed by the commanding Officer, and the Purser of

the Ship to which he belongs, in favor of the Person who is to receive the Money.— The commanding Officer, will just before sailing on a Cruise, transmit to Me a List of the Names, Rank & monthly Pay of the Persons executing such Powers of Attorney, & I will make Arrangements for paying the money at the Port, from whence the Vessel takes her Departure.

Inclosed is the Form of the Power of Attorney to be used. The Men must be settled with at the Time the Power is executed, & it must be particularly ascertained in the Power of Attorney, when the Pay is to commence — It is customary to advance to the Seaman 2 Month's Pay — Where Advances have been made, the Pay, one half of which may be received under the Power of Attorney, can only commence from the Time, when the Sailors shall have served the Time for which they received the Advance.—

The Purser should be particular in keeping the Accounts of the Men who leave Powers of Attorney, & should be careful to avoid paying them in Slops or Money, more than the balance of their Monthly Pay, after deducting the sums to be received under their Letters of Attorney. —

For Copy of Power of Attorney—See Page 64.

[NOTE.—Page 64 contains enclosure to letter of 30 June 1798 to Captain Samuel Nicholson.]

[NDA. OSW, Vol. 1.]

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To Captain John Barry, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Depart<sup>mt</sup> 3<sup>d</sup> July. 1798.

Cap<sup>t</sup> JOHN BARRY

SIR, The Frigate, *United States*, under your Command, being equipped manned & armed, you will proceed to Sea, with the first fair Wind. —

Enclosed, you will receive your Instructions, founded on the existing Acts of Congress, and by which you are to be governed, until further Orders. These Instructions confine you within narrow Limits, and you can do little more under them, than exercise your Men along the Coast — It is scarcely to be expected that the French Cruisers will have the Temerity to throw Themselves in your Way. But it is not improbable, that a very few days, & before your Men are sufficiently disciplined, you may be ordered on more important Service with greater Latitude; under this Idea, I am directed by the President, to call your Attention to the Necessity of losing no Time in putting your Ship & Men into a State to be prepared for any Enterprize — and to express his entire Conviction, that Nothing on your Part will be wanting to justify the high Confidence reposed by him, and your Country, in your Activity, skill & Bravery. —

After stretching off & on the Capes of Delaware for four days, if in that Time you should receive Nothing from Me, You will consider your Cruising Ground to extend from Cape Henry to Nan-tucket, and will use all the Means in your power to defend this Extent of Coast, against the Depredations of the Vessels sailing

under Authority or Pretence of Authority from the French Republic — and it is particularly enjoined by the President, that you will in Conjunction with the Force of Cap<sup>t</sup> Dale, whose Cruising Ground has heretofore been between Cape Henry & long Island, & with whom you will doubtless fall in, afford all possible Protection to the Vessels of the United States, coming on or going off the Coast. —

It will be proper for you, as you pass the Capes of Delaware from Time to Time, to stand in, hoisting a Danish Flag, on the main top Mast head, that you may be known to any express Boat, that may be dispatched after You. —

Cap<sup>t</sup> Decatur had orders to cruise with Cap<sup>t</sup> Dale, until the 10<sup>th</sup> Instant — If you should fall in with Decatur sooner than the 10<sup>th</sup> you will direct him to proceed to join Cap<sup>t</sup> Truxtun on the Southern Station. —

[NDA. OSW, Vol. 1.]

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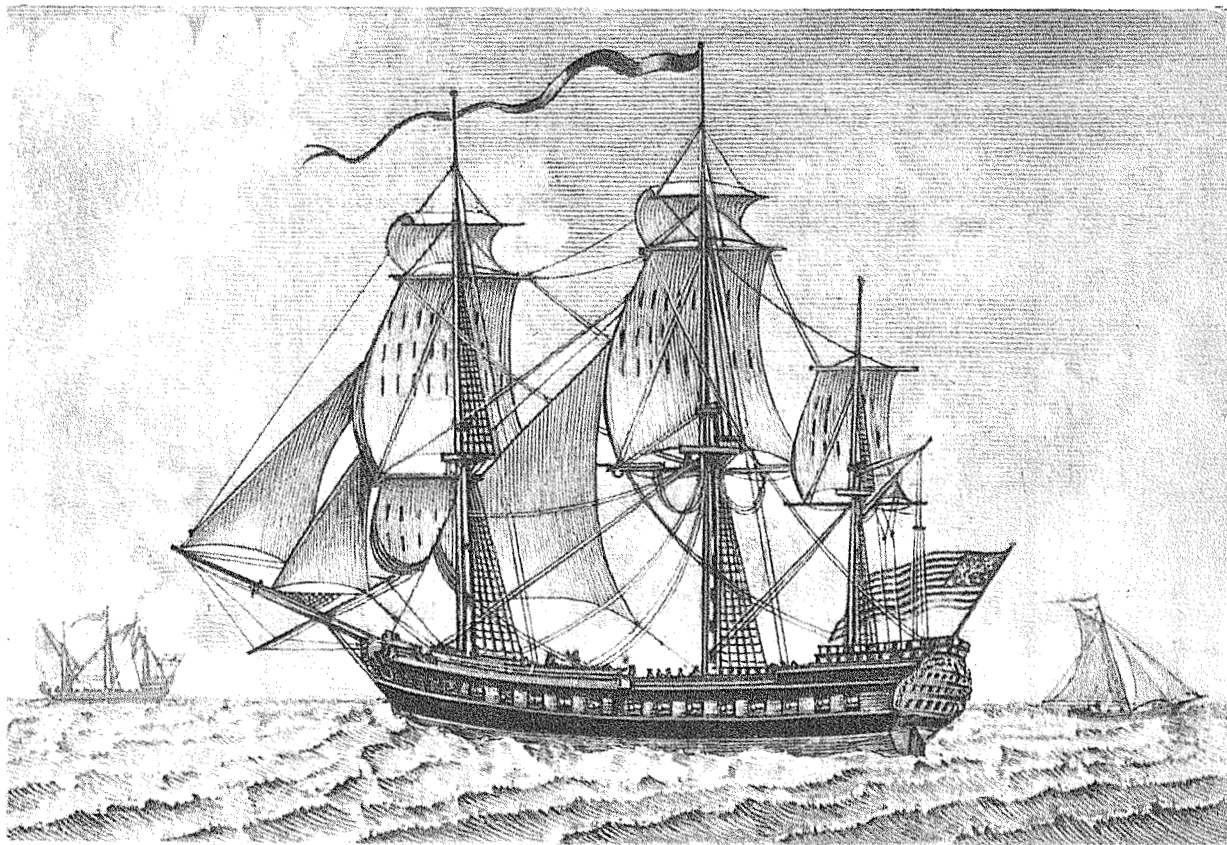
To Robert Liston, British Ambassador to United States, from Secretary of State

DEPARTMENT OF STATE

Philadelphia July 3, 1798.

SIR, Your note of the 29<sup>th</sup> of June, received the 30<sup>th</sup>, & that of the 1<sup>st</sup> of July received the same day, I laid before the President of the United States, by whose direction I this morning send to the Governor of Pennsylvania, copies of the declaration of the captain, officers & passengers of the armed Ship *Melpomene*, and of the certificate of the masters and pilots of the other vessels which brought passengers from the *Mole*, confirming all the essential facts stated in the former. By these notes and documents, and the verbal information of others, it satisfactorily appears that the charges brought against those French passengers are destitute of foundation: and in consequence thereof, I have informed the Governor, "that it will be entirely agreeable to the President, that those passengers and their servants be permitted to land, and with as little delay as will comport with the health laws of the State of Pennsylvania."

While the unfounded suspicions and reproaches against these people, and the inconveniences to which they have consequently been subjected, are subjects of real regret, no terms will now be required on the part of the General Government, which may cause additional inconvenience. At the same time, it seems proper to remark (what must have occurred to the passengers themselves since their arrival) that the actual state of things between the United States and France, induced by the violence, intrigues and real hostilities of the latter, may render their residence here less eligible than at any former period; and that the further progress of the differences between the two countries, may hereafter, and possibly very soon, render it a duty in the Government of the U. States, to prescribe regulations and measures, in regard to French citizens, not before contemplated, but which the public security may require. These, however, will certainly be



U. S. FRIGATE UNITED STATES.



formed and executed with that humanity which has ever distinguished the U. States, while their safety must be considered as the supreme law.

I have the honor to be, with great respect,

Sir, your obed<sup>t</sup> Servant

TIMOTHY PICKERING.

ROBERT LISTON Esq<sup>r</sup>

*Envoy Extraordinary &c. &c.*

[Conn. HS. Mss. no. 22.]

To TENCH FRANCIS, Purveyor, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department July 3. 1798*

TENCH FRANCIS

Cap Barry informs me that he is waiting only for two Coil of Rope, one Coil 7½ Inch rope, the other Coil 5½ Inch rope & 50 lb. of marline; His Gunner calls on you with this to get the rope, the Boat is waiting for it & I want to get Cap<sup>t</sup> Barry off this day; pray therefore furnish these articles without the least delay.

[NDA. Req. on US T., 1798-1803.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
3 July 1798, Tuesday

A pleasant Breeze from the South West, the first of this Day, with smooth Water. Saw two Sail to the North West, gave Chace, and at seven PM spoke the armed Ship *Sterling* of Boston from Edenton, North Carolina, bound to Surinam, with a Schooner in Company from the same Place, these Vessels had been out 36 Hours, and seen no Cruizers.

The middle light Airs, and the latter, a fresh Breeze from the South South East.

All Hands employed at the various Duties of the Ship

Latitude observed 34°19' N°. Longitude Account 72°54' W.

[HS of Pa. NDA photostat.]

Extract from the Journal of Lieutenant John Mulloony, U. S. Frigate *United States*,  
Wednesday, 4 July 1798

Newcastle River Delaware. Winds light & variable. Loosed all the sails to dry, exercised the crew at their proper Quarters.

At 4 P. M. Capt. Barry came on board.

[NA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
4 July 1798, Wednesday

The breeze encreasing, and from the East South East, in Jib, and Stay Sails, top Gallant Sails, Main Sail, and the second Reefs in the

Top Sails. At 4 PM it blows harder, in Mizen top Sail, at 7 Ditto, the Gale encreasing in Foresail, and at 11 Ditto, down top Gallant Yards. At 8 AM the Wind having backed round to the Northward, blowing a violent Hurricane, with much Rain, took in the Main and Fore Top Sails, and scudded under bare Poles. At 9 Ditto the Wind backed still further round, and into the West North West, and West, where it continues to blow as before, with a high and cross Sea running.

The Ship has made much Water, since the Commencement of the Gale, tho' the Guns were housed, and all was made as snug as possible. This Circum. is owing to the Upper Works being caulked during the Winter Season.

No observation of the Sun.

Latitude Account 32°.18' N.

Longitude ditto 73°.42' W.

[HS of Pa. NDA photostat.]

[July 5, 1798.]

**Deposition of Neil Mac Neal reference the Ship *Eliza***

Before me, Moses Young, Consul of the United States of America for the city of Madrid, (and for such parts of the kingdom of Spain as are nearer to the said city than to the residence of any other Consul or Vice Consul of the United States) personally appeared Neil Mac Neal, a citizen of the said States, late Master and Commander of the American Ship *Eliza*, who being duly sworn, deposeth and sayeth,

That on the twelvth day of June last he sailed over the [Bar of] Charleston in South Carolina in the above mentioned Ship *Eliza* [words obliterated] command, mounting twelve guns, and manned with thirty men, bound to London. On the fifth of July instant at day break, a sail was discovered astern, giving chase, and gaining upon the *Eliza* very fast, in latitude 48.35 N. and longitude 13 W. from London. When the chasing ship came within a mile, she fired with shot at the *Eliza*, and hoisted french colours; upon which, the said Neil Mac Neal prepared to defend himself and the property entrusted to his care. The french ship then coming close up under the *Eliza's* quarter, fired a nine pound shot into the American, together with a volley of musketry: then, and not until then, did the American fire upon the frenchman; the consequence was a close action within pistol shot, for one hour and an half, when the American was obliged to haul down his colours to *L'Heureux Decidé*, privateer, of Bordeaux, mounting eighteen nine pounders, and one hundred and eighty five men. The *Eliza* had one man killed and three wounded, her sails and rigging very much cut, her braces all shot away, her mainmast wounded, and there was no command of the ship when she struck. That the said Captain Neil Mac Neal was afterwards put on board of the privateer with twenty three of his people, where, at the end of two days the frenchman by threats obliged him to sign an untruth, to wit; that the United States were at war with France, and that he, the American, fired the first shot. On the eleventh day of the month they arrived at the port of Los Pasages near Saint Sebastian: the Mate of the *Eliza* and the crew (except such as were



wounded) were sent as prisoners into France. Against all which illegal and piratical conduct, I the said Neil Mac Neal make this immediate formal Protest at the first practicable place to do it, having been a prisoner at S<sup>t</sup> Sebastian, where there is no American Consul, and in custody of a french soldier there, from whom I have just made my escape, and arrived here yesterday the 19<sup>th</sup> of July.

NEIL MAC NEAL

In testimony whereof I have hereunto set my hand and affixed my Seal of Office at Madrid this twentieth day of July one thousand seven hundred and ninety eight, and in the twenty third year of the Independence of the United States.

M. YOUNG

Rec<sup>d</sup> in Col<sup>o</sup> Humphreys N<sup>o</sup> 155

[SDA. Disp. Spain. Bk. 4, Humphreys.]

To James Watson, Navy Agent, New York, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 5. July 1798. —

JAMES WATTSO  
New York

SIR, M<sup>r</sup> Sileas Webb, has a Vessel building at New York, which he represents as fit for a Cruiser — The Acts of Congress authorize 6 Vessels of 18 Guns — 12 not less than 20, nor more than 24 Guns & 6 of 32 or upwards — It is meant that they shall be as follows —

6 of 18 Guns  
12 of 24 "  
3 of 36 "  
3 of 44 "

You will judge whether the Vessel building by M<sup>r</sup> Webb will answer for 18 Guns — & whether She will possess the essential Qualities of Swift Sailing & considerable Strength. No Vessel ought to be purchased for the Public without these Qualities.

You will also determine, whether the Vessels expected to be built at New York — one of 36 or 44 Guns — by the Merchants — one Frigate, the keel of which has been sometime laid — & the 24 Gun Ship, which you will contract for, will not be enough to employ all your Carpenters — and whether, undertaking to fit out another Vessel at that Port, will not interfere with the Progress of the larger and more Material Ships.

If New York is fully equal to the Four, and you find the Ship of M<sup>r</sup> Webb well calculated for the Public service; you may if you please, purchase her on the best Terms in your Power, provided You think the Terms reasonable, and provided too you will undertake to fit her for a Cruiser. —

If you purchase the Ship, you must procure the Copper, as well as every Thing else. —

[NDA. GLB, Vol. 1.]

To Stephen Higginson, Navy Agent, Boston, from Secretary of Navy

[PHILADELPHIA,]

Navy Department 5<sup>th</sup> July 1798

STEPHEN HIGGINSON Esqr.

I have requested M<sup>r</sup> Wolcott to answer that part of your Letter of the 28<sup>th</sup> Ult<sup>o</sup> which relates to the Cutter — The Cutters are considered as belonging to the Treasury department; they will be fitted out under the directions of the Secretary of the Treasury, and when they are prepared for a cruise, they will, in some instances, be turned over to me; — this will be the case with the Cutter at Newbury. —

I shall with this, send on to Cap<sup>t</sup> Sever, the Commissions for the Officers recommended in a late letter from you, receiving Instructions & money for that Service — As to the other Officers not yet appointed, please to have reference to my Letter of the 30<sup>th</sup> June. —

It is right not to overlade the Ships with Stores, but if they shou<sup>d</sup> be ordered to the West Indies, three months provisions will be too Small an allowance — If Six months provisions could be taken in, without inconvenience, it wou<sup>d</sup> be better — but if provision for 4 months seems highly expedient — This quantity then, you'll be so good as to provide, & put on board, If it can be received without inconvenience. —

I wish I knew the exact situation of the Frigate *Constitution* — You have Judged right in procuring, every thing for the Ship, building at Portsmouth, which cou<sup>d</sup> be got with you; instead of depending on Phila<sup>a</sup> — This line of Conduct will be right in all future instances — The freight, delay &c<sup>a</sup> will always make up for more than any difference in price, even if the Articles could be procured cheaper here, which is doubted — The Copper has been ordered on, and the Ballast Shall be sent in time. — Your suggestions as to an understanding with the British Shall be attended to. —

Presuming that men can be immediately had for the *Herald*, I will in two or three days send on Capt<sup>n</sup> Sever's instructions for a cruise; Our Coast, at least from New York to Cape Henry, has been for some time past, clear of French Privateers — From Cape Henry to the Southern Extremity will be sufficiently guarded for the present — Cap<sup>t</sup> Sever & the Cutter I presume will be equal to the protection of the Eastern Coasts, and the fisheries — and the three Frigates, two of which are out, might do Something in the West Indies; I wish I had your full advice and opinion on this Subject — I shall always receive with satisfaction your Ideas as to the proper employment of our Vessels — The force we Shall be able to command in one month will be as follows —

Frigate <i>U[nited] States</i> .....	48 Guns
<i>Constellation</i> .....	38 —
<i>Constitution</i> .....	44
Two Ships from Balt <sup>o</sup> .....	20 Guns each
Two, from this Port, now out the Same force.....	
Two or three Cutters.....	
The <i>Herald</i> .....	

Your Letter does not state the sum Wanted for fitting out the *Herald* — Expecting to hear shortly from you on this Subject, I have requested the Secretary of the Treasury to remit you by this days Mail 8000 Doll<sup>s</sup> on that acc<sup>t</sup> — And a further sum of 4000 Doll<sup>s</sup> to be

paid over by you to Cap<sup>t</sup> Sever, for the purpose of recruiting the Men — If there was a purser appointed, he would be the proper person to receive & distribute it to the recruiting officers, under the direction of the Captain — Be so good as to have a proper person fixed on for this office, and let him act as if he had received his appointment, — sending his name to me, and if more money be necessary be pleas'd to have it furnished. —

[NDA. GLB, Vol. 1.]

To Secretary of Treasury from Secretary of Navy

[PHILADELPHIA,]

Navy Department 5. July 1798

SEC<sup>y</sup> OF TREASURY

SIR Mr. Higginson, in a Letter of the 28<sup>th</sup> Ult<sup>o</sup> mentions that the Brig<sup>t</sup> Cutter, building at New Bury, will be ready for a cruise very quickly, if the officers for the Cutter be appointed, a List of which he says will be sent on, if desired — but he adds, it is deemed improper to suggest a List of Officers for her 'till it Shall have been determined by Government whether She is to be used as a Naval Cruiser or to be considered as attached to the Revenue.

It is his opinion that this Vessel ought to cruise in Concert with Cap<sup>t</sup> Sever in the *Herald*. I think it is understood that you direct every Thing relating to the Cutters and when They are ready for a cruise that you then turn Them over to my Department.

This Idea being correct you will be so good as to reply to that part of Mr. Higginson's Letter, the Substance of which I have given you above. —

[NDA. Req. on US T, 1798–1803.]

To Rufus King, United States Minister, London, from James Maury,  
United States Consul, Liverpool

LIVERPOOL 5<sup>th</sup> July 1798

DEAR SIR The two inclosures in your letter of the 2<sup>d</sup> Instant are in the armed American Ship *Diana*, Williams, ready to sail for Philadelphia.

Inclosed is a note of my postages amount £2. 19. 11 for which I draw on you in favor of M<sup>r</sup> Bickerton.

Scarcely any of the American Vessels mentioned in my last are sailed, possibly some of them may be here in time for any farther Dispatches.

I have the Honor to be with perfect respect

Your Excellency's

Most obedient Servant

JAMES MAURY

His Excellency RUFUS KING

Minister Plenipo<sup>a</sup> of the U. S. of America London

[SDA. Liverpool, Vol. 1, C. L., 1790–1800.]

General Order of Captain Thomas Truxtun, U. S. Navy

[5 JULY 1798.]

## GENERAL ORDER

The Bread is to be delivered out daily, half-weekly, or weekly, as is most agreeable, and convenient, to the different Messes at Sea to receive and preserve it.

THOMAS TRUXTUN.

UNITED STATES SHIP *Constellation*5<sup>th</sup> July 1798.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-1799.]

[5 July, 1798.]

Regarding subscription for building vessel in Boston

[From the Gazette of the United States]

Mr. FENNO,

I will thank you to publish the following extract of a letter from a gentleman in Boston,

I. PARKER.

"I now with pleasure inform you of the spirited and honorable conduct of the citizens of Boston.

"Yesterday we had a meeting for the purpose of opening a subscription for a sum of money to be appropriated to the building of a vessel for the United States. Thirty-three persons attended — In half an hour Seventy-two thousand five hundred dollars were [s]ubscribed by the citizens present.

Wm. Philips, esq.	10,000 dollars
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With a promise to double the sum if it should become necessary.

Samuel Parkman	4,000
Samuel Eliot	4,000
David Sears	3,000
Theodore Lyman	3,000
Samuel Salisbury	3,000
J. Coolidge & Sons	3,000
N. Frazier	2,000
A. Wells, senior	2,000
Jeffrey & Russell	2,000
Wm. Parsons	2,000
James & T. H. Perkins	3,000
Eben Parsons	3,000
Thomas Dickason, jr.	3,000
Stephen Higginson	3,000
Stephen Higginson, jr.	2,000
Samuel G. Perkins	1,500

Others subscribed 1,500 and none less than 1,000 dollars. I know thirty gentlemen who will subscribe from one to three thousand dollars and sixty more who will give 500—you may fairly calculate on 120,000, reasonably hope for 150,000 dollars. The Legislature have voted 50,000 dollars for purchase of arms &c. and given the governor authority to draw 50,000 more if necessary in the recess."

[LC. "Claypoole's American Daily Advertiser" (Phila.), 5 July 1798.]

Extract from the journal of Lieutenant John Mulloony, U. S. Frigate *United States*, Thursday, 5 July 1798

Newcastle River Delaware. Winds S. E. Fine weather, exercised the crew at their proper quarters. At 2 P. M. the ship *Fame* of Philadelphia Saluted, returned her salute with three Guns. The Ship of war *Delaware* sailed on a Cruise at 8 A. M.

[NA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*, 5 July 1798, Thursday

Hard Gales from the West South West, and an Abundance of Rain. Under bare Poles, Ship making much Water, and the Sea running very Cross. At about 6 PM set the Mizzen Stay Sail, and Mizzen; and shortly after the Close reefed fore top Sail, the Gale abating, and there being some appearance of the Weather breaking.

At 5 AM wore, and stood to the West North West, with the Wind at South West, and then made Sail. Got up all the wet cloathes of the People, with their hammocks &c. to day as well as some Bread that got damaged.

Overhauled and repaired various little Matters, in the Boatswain, Gunner, Carpenter, and Sail-Makers' Departments, overhauled the Hold &c. &c. &c.

Latitude observed 32°.24' N°

Longitude Account 73°.00' W.

[HS of Pa. NDA photostat.]

To Mr. Malcolm from the Secretary of Navy

[PHILADELPHIA,]  
Navy Office 6<sup>th</sup> July 1798.

M<sup>r</sup> MALCOLM.

Sir, I have the honor to enclose the Commissions and Warrants for the following officers on board the *Constitution*, which I beg you would lay before the President for his Signature —

— Commissions. —

John Blake Cordis	}	Lieutenants
Isaac Hull		
Rich <sup>d</sup> C. Blake		
Lemuel Clerk		Lieut of Marines
William Read		Surgeon
Ch <sup>r</sup> Blake		Surge <sup>r</sup> Mate
James L. DeBlois		Purser
Henry J. Knox		Midshipman
St Nicholson jr		ditto

These Commissions are wanted to send by the Mail at 12 oClock. —

[NDA. Nom. Appts. LB, 1798-1820.]

To David Sears and others, Boston, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 6<sup>th</sup> July 1798*

DAVID SEARS Esq<sup>r</sup> & others  
*Committee of Merch<sup>ts</sup> Boston*

I am honored with your favor of the 2<sup>nd</sup> Instant — Inclosed you will receive an Act of Congress, lately passed on the Subject of your letter; by this Act you will perceive, that Six Frigates of 32 Guns or upwards, as well as a number of Smaller Ships are expected to be obtained through the Patriotism of our Citizens — It has been hoped, and it is still hoped, that Boston, New York, Philadelphia and Baltimore, would each furnish one of the largest sized Ships — Phila<sup>a</sup> has undertaken to build one of 44 Guns, New York will build one of 36 or 44. and it is very desireable that Boston, which has taken the lead in public-Spirit, as evidenced by their liberal Subscriptions, Should not be outdone in the Size of their Ship —

Inclosed you will receive the dimensions of Ships to carry 44, — 38 & 36 Guns, as soon as I am informed of the Size of the one you fix upon, a model Shall be sent to you — Any Timber or other materials in the Navy Yard at Boston may be taken by you, on the Terms of your Letter — Inclosed you have an order on M<sup>r</sup> Gibbs for the purpose. —

[NDA. GLB, Vol. 1.]

To David Stewart, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department July 6<sup>th</sup> 1798*

DAVID STEWART Esq<sup>r</sup>  
*Baltimore*

I am honored with your Letter of the 4<sup>th</sup> Instant — I wrote this morning to Cap<sup>t</sup> Yellott on the subject of the Ship or Ships to be built at Balt<sup>o</sup> by the Merch<sup>ts</sup> Be pleased to be referred to that Letter — If you still think it would be better to build small Ships in Baltimore, I must acquiesce — Tho I fear we shall have ample occasion for the largest size Ships — and tho' I believe that if Balt<sup>o</sup> will not, or rather cannot, afford one such Ship, the number of Ships of 32 Guns & upwards contemplated by the Law, which you will find enclosed, cannot be obtained. — You will observe that Ships carrying less than 18 may be received — Yet it is desireable to have them of 18 Guns — I mean the Smallest Sized Ships permitted by the Law. —

[NDA. GLB, Vol. 1.]

To Captain James Sever, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy Departm<sup>t</sup> 6. July. 1798.*

Cap<sup>t</sup> JAMES SEVER

SIR, I have it in Command from the President, to direct that you loose no Time in completing equipping & Manning the *Herald* for sea. —

The Lieut<sup>t</sup> of Marines &c. &c. to engage sixty four able Seamen & Thirty two Midshipmen and ordinary Seamen. —

See Pages 21, "2 "3 & 24. Letter to Cap<sup>t</sup> Nicholson — with the following Addition —

The Number of Seamen is estimated upon the Presumption, that the *Herald* carries but Twenty Guns — Should She carry Twenty Two Guns, you will be allowed Six more able & Three more ordinary Seamen. Strange as it may seem, I can find no Documents to ascertain the Force of this Ship. —

Four Thousand Dollars, will be remitted to S. Higginson Esq<sup>r</sup> to be paid over to you, or to the Purser — to be distributed by him under your Directions to the Recruiting Officers.

Presuming that it will require but little Time to prepare your Crew, I shall send on in two or three days, your Cruising Orders. —

Inclosed you will receive the Commissions for the Officers recommended by you — As to the Stations, not yet filled, you must in Concert with M<sup>r</sup> Higginson find proper Characters for them — and as there will not be Time for the Formality of a regular Appointment, before you are ready for a Cruise, they must for the present be under your Warrant — The Names you will take the first opportunity to transmit to me.

[NOTE.—Pages 21 to 24 contain letter to Captain Samuel Nicholson from the Secretary of War, dated May 5, 1798.]

[NDA. OSW, Vol. 1.]

From Captain Samuel Nicholson, U. S. Navy, aboard the U. S. Frigate *Constitution*

KING ROAD July 6<sup>th</sup> 1798

D<sup>r</sup> SIR, I rec<sup>d</sup> Yours of the 5<sup>th</sup> last evening inclosing one from M<sup>r</sup> Humphreys under the authority of the Secretary of the Navy, requesting I would Transmit to him the true State of the Ship after being at Sea. &c. &c. Morton will bring me down a load of water next, we regularly make 2 load a day in the long boat from the Island, are obliged to unstow the hold in order to come at the ground Tier. Our Carpenters are mount<sup>g</sup> the Carronades in the Tops, and slinging the lower yds with Chains &c. they shall not be taken off from that business till completed, the Gunner with 5 of his Crew are gone to the Castle, filling carteridges &c. Coll<sup>o</sup> Perkins was ordered to deliver us 18 lb. shot for proving *only*. I should be glad to have a few on board immediately, pray sent him an order. we are now covering the lead in the bread room with thin boards, after which I will take the bread and Sails, likewise the powder, on b<sup>d</sup> — We are very busey, every Man constantly employd, and still a great deal to do. I dont know when I can come to Town, Lieut<sup>t</sup> Cordis, sends me word today, he is so much better as to be able to come on board again tomorrow, or next day I shall attend to the Boatswains matters myself today and tomorrow. I am respectfully Sir

Yr Hble Serv<sup>t</sup>

SAM<sup>l</sup> NICHOLSON

p. s.

I wish you or M<sup>r</sup> Wells could send me down a clever fellow as my Clerk, immediately. Pay 25 doll<sup>rs</sup> per m<sup>th</sup>. You can send the young French lad (as Act<sup>g</sup> Midshipman) when ever you please — I have

got the Men quarter'd to the Cannon on the 2 decks, and will exercise them tomorrow. great dispatch with Morton and the Water is absolutely necessary. or we shall be along time watering the Ship, all we can possibly do in the long boat is but little.

[Emmet 7093, NYPL.]

[NOTE.—There is no indication as to whom the above letter was addressed.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
6 July 1798, Friday

For two Days past, we have not seen a Vessel of any Sort, which is something remarkable in this Latitude and Longitude, and at this Season of the Year.

I have continued to employ all Hands as before in repairing sundry small Matters, that got rubbed, chafed, and out of Order in the Gale, and in doing such other Jobs, as I conceived necessary and proper.

The Weather very unsettled indeed, made and took in Sail according to appearances.

Latitude 32° 43' North

Longitude obs<sup>d</sup> } 74.45 West  
 ☉ East of η

[HS of Pa. NDA photostat.]

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To Captain Samuel Nicholson, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy Departm<sup>t</sup> 6. July. 1798.*

Cap<sup>t</sup> SAM<sup>l</sup> NICHOLSON

SIR, It is highly probable, that by the next Mail, you may receive orders, for a Cruise of two or Three Months — You will use every Means to be prepared at a Moment's Warning. The Commissions for the Petty Officers you have recommended, shall be sent on, as soon as the Appointm<sup>ts</sup> are made — Don't however suffer any Delay on this Acc<sup>t</sup> — If the Commissions should not arrive in Time, sail without Them, & let the Officers act under your Appointment — You will receive enclosed the only Rules and Regulations yet established for the Navy.

Six thousand Dollars have lately been sent on to M<sup>r</sup> DeBlois & I will direct Three Thousand Dollars more to be sent this day to him — Let me repeat again my wish, & I may add, that the Presidents also, that you make such arrangements, & without a Moment's Delay, as will enable you to sail on the Receipt of your Instructions — Both Barry & Truxtun are out. —

[NDA. OSW, Vol. 1.]

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To Captain James Sever, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy Departm<sup>t</sup> 6. July. 1798. —*

Cap<sup>t</sup> JA<sup>s</sup> SEVER

SIR, The Regulations heretofore established for the Navy, do not admit of Boys on board of the Ships of War — This is certainly a



defect. Perhaps the Proportion required of able Seamen, is too large — You may take as many Boys as you shall judge proper, not exceeding the Number of Guns in the *Herald* & Provided, for every Two Boys you take, you leave out one able Seaman. But altho' it is permitted you, to give as much to two Boys as to one able Seaman, yet it is expected that you will get them on the best Terms in your power. —

[NDA. OSW, Vol. 1.]

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To Lieutenant of Marines of *Herald* from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 6. July. 1798*

Lieut<sup>t</sup> of Marines of the *Herald*

SIR, You will immediately commence recruiting the Complement of Marines, allowed to the Ship *Herald* — Viz<sup>t</sup> Twenty five Marines, including Serjeant Corporal &<sup>t</sup>

In the Performance of this duty, you will pay particular Attention to the following Rules and Regulations.

For Rules and Regulations Refer to Pages 5-6 & 7.

[NOTE.—Pages 5, 6 and 7 contain letter to the Lieutenant of Marines, Frigate *Constellation*, from Secretary of War, dated 16 March 1798.]

[NDA. OSW, Vol. 1.]

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To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department July 6. 1798*

JEREMIAH YELLOTT

The duties of my Office have pressed upon me so much, that I have not been able to attend to your last Letter, The Copper &c for both the Ships under your direction I hope you have received, it was forwarded by way of the head of Elk, a Week ago or nearly.

The Commissions for Cap<sup>t</sup> Phillips & Officers, as well as recruiting Instructions shall go by Tomorrows Mail.

I am sorry you prefer small Vessels to be built at Baltimore, to one Ship of larger size; enclosed you have the late Law upon that subject, —

You will perceive that six Ships of 32 Guns at least, are to be procured, — it has been calculated that Baltimore would afford one of these, The smaller Ships can be obtained in the smaller places, but the larger ones can only be expected from Baltimore, Philadelphia, New York, & Boston and I cannot relinquish the hope that my Native State, not less Federal, & not less in earnest to defend the rights of the Country, than any in the Union, will afford one of these, I know that this will greatly depend on you, & I hope for your acquiescence in the views of Government

The Frigates heretofore built have been on a scale too large, a ship of 800 Tons will be equal to 36 Guns, — 900 Tons will be equal to 44 Guns, — Here they mean to build one of 1000 Tons, the same in New York with less means.

Please to consider this subject well & let me know your final opinion, I shall despair of getting the Ship & soon if you do not concur, The Public Timber at Baltimore might be taken for the Ships.

[NDA. GLB, Vol. 1.]

To Mr. Malcolm from Secretary of the Navy

[PHILADELPHIA,]  
Navy Office, 7, July, 1798

MR MALCOLM

SIR, I have the honor to inclose Commissions and Warrants for the following Officers on board the ship of War *Herald* at Boston, which I beg you would lay before the President for his Signature. —

These Commissions and Warrants are wanted to send by the Mail at 12 OClock. —

Commissions { James Sever, Cap<sup>t</sup>  
W<sup>m</sup> V. Huchings } Lieutenants  
Jos. Strout  
Larkin Thorndike Surgeon

Warrants { Samuel Carnes Sailing Master.  
John Marshall Gunner.  
Isaac Steel Sail Maker  
John S. K. Cox Midship Man

[NDA. Nom. Appts. LB, 1798–1820.]

Extract from the Journal of Lieutenant John Mullowny, U. S. Frigate *United States*,  
Saturday, 7 July 1798

Newcastle River Delaware. Winds S. by W. Fresh breezes (cloudy) at 6 A. M. unmoored, at 9 weighed Anchor and got under way, at M Tacked Ship, missed Stays, and took the ground, run out the Stream anchor to the S. W. brought to and hove taught, at ½ 3 P. M. the ship tended[?] to her anchor, gave her a broad sheer in the Channel and let go the anchor, and moored with the two [remainder of page mutilated]

[NA.]

To Captain John Barry, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]  
Navy Departm<sup>t</sup>. 7 July 1798

JOHN BARRY

SIR, You will please keep on & off the Capes, of Delaware — and always in reach of a Pilot Boat, 'till further orders — Some late Acts of Congress make a variation in your Instructions necessary. —

[NDA. OSW, Vol. 1.]

To Captain Stephen Decatur (senior), U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]  
Navy Department. 7 July. 1798

STEPHEN DECATUR

SIR, The Intention of this is to request, that you, instead of proceeding to the Southward to join Cap<sup>t</sup> Truxtun on the 16<sup>th</sup> Ins<sup>t</sup> as

directed in your Instructions, you will continue on & off the Capes of Delaware, so that a Pilot Boat may be sure to find you, until further orders. —

[NDA. OSW, Vol. 1.]

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To Garrett Hulsecamp, pilot, from Secretary of Navy

[PHILADELPHIA,]

Navy Department 7<sup>th</sup> July 1798

GARRETT HULSECAMP, Pilot

You will please to proceed with your Pilot Boat forthwith to the Capes of Delaware, and exert yourself to find the Frigate *United States*, Cap<sup>t</sup> Barry, and the *Delaware*, Cap<sup>t</sup> Decatur. You have three Letters for each of these Captains — If you fall in with the *Ganges* Cap<sup>t</sup> Dale, deliver one of each to him — and if you fall in with either Cap<sup>t</sup> Barry or Cap<sup>t</sup> Decatur, give to the Captain you so fall in with, one of the Letters for the other, — It is most probable you will find them off the Capes of Delaware — You will sail off and on the Capes four or five days, till you fall in with them both

[NDA. GLB, Vol. 1.]

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[July 7, 1798.]

Extract from letter to Rufus King, London, from Secretary of State, July 9, 1798

“Last week, Captain Decatur in a public twenty gun ship [the *Delaware*] sailed from the Delaware, on a cruise, and yesterday returned with a prize, a French privateer of ten guns [*La Croyable*] and 53 men; pierced for 14 guns, and manned with 70 men. She had been but two or three days on our coast, yet had taken a British Brigantine, and the ship *Liberty* belonging to Philadelphia, and destined for Liverpool, on board of which ship I had put some letters for you \* \* \*

[SDA. Dip. Cor. Inst. to Min., Vol. 4, 1797–1798.]

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[7 July, 1798.]

Newspaper accounts relative to capture of *La Croyable*

[From “Columbian Centinel (Boston)”, July 14, 1798]

“A FRENCH PIRATE CAPTURED.

“PHILADELPHIA, [Monday] July 9. [1798]

“Yesterday Capt. Decatur, of the United States Sloop *Delaware* arrived at the Navy Office. He informs, that the *Delaware* sailed on Friday, last, and on Saturday evening [7 July 1798] captured a French privateer schooner of 12 guns and 70 men, close in with *Egg Harbour*, and last evening the prize was brought to *Fort Mifflin*. Capt. Decatur left his ship at *New-Castle* and brought this intelligence to town. Capt. Decatur after he had got to sea on Saturday morning, met with the ship *Alexander Hamilton* from New York to Baltimore, the Captain of which informed him, that he had been plundered by

a *French* privateer, and gave him directions what course he had steered. Capt. Decatur immediately went in search of her, and soon got in sight of four schooners; but not knowing which was the armed schooner that he had received information of, he thought it best to stand off as if he were a merchantman, and alarmed at what might be armed vessels.

The manœuvre had the intended effect, for the armed schooner gave her chase, until she discovered the *Delaware* to be a vessel of force, when she attempted to sheer off and get in land (where she supposed she could be safe, taking the *Delaware* for an *English* vessel of war) but she was obliged to surrender after a pretty long chase to the *Delaware*, and several shots being fired at her. This privateer is a new vessel, said to have been built at Baltimore. She sailed from *Cape Francois* on the 19th June, and has been on our Coast only two days, during which time she has captured the ship *Liberty*, Capt. Verdenberg, which sailed a few days since from this port [Philadelphia] for Liverpool; the vessel was sent to the West Indies, and the Capt. and crew of the *Liberty* were put on board a vessel bound for Boston, the privateer had also taken an *English* brig."

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[From "Columbian Centinel (Boston)", Aug. 8, 1798]

"PHILADELPHIA,

The Captain of the French privateer, taken a few days ago, seemed astonished when he went on board of Capt. Decatur's sloop of war, at his being taken by an American vessel, and said he knew of no war between the two republics. Decatur observed that the French had been making war upon us for a long time, and it was now necessary for us to take care of ourselves. The Frenchman seemed to be vastly mortified at seeing his Colours hauled down, and wished he had been sunk. Decatur told him he should have been gratified if he had stood on board his vessel and fought her!"

[LC. Newspapers, Columbian Centinel (Boston), July 14 and Aug. 8, 1798.]

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To Secretary of State Timothy Pickering from Captain Stephen Decatur (senior)  
U. S. Navy

S. DECATUR — Capture of Several Vessels

[U. S. S.] *Delaware*, July 12 — 1798

SIR I enclose you a paper handed me by M<sup>r</sup> Kitchin, (the person who collects, maritime intelligence for the Merchants of Philad<sup>a</sup>,) the list of vessels captured &c was furnished by one of the crew who lately arrived at Philad<sup>a</sup> from, their privateer having been put on board a Schr. bound to Philad<sup>a</sup> by the master of the privateer —

I am Sir with great respect

Your M<sup>o</sup> Obed<sup>t</sup> Serv<sup>t</sup>

STEPHEN DECATUR

TIM<sup>r</sup> PICKERING Esq<sup>r</sup>

[SDA. French Spol.]

[Enclosure]

The Sch<sup>r</sup> [space] from Penobscot on the Evening of the 6<sup>th</sup> was brought too off C May by the privateer, & detained until near 12 oClk, threatening to scuttle her, & abusing the crew, telling them they would hang them & — plundered the people of their cloaths & then dismissed her — after putting on board a person, belonging to the Ship *Alex<sup>r</sup> Brown*, of Newburyport which vessel they had captured on the 13<sup>th</sup> ult<sup>o</sup>, out 15 days from Charleston to Oporto, on the 15<sup>th</sup> they fell in with & captured the Sch<sup>r</sup> *Leander*, from NYork to the Havanna, — soon afterwards boarded two Schooners, from St Croix, bound to Salem & Newbury port plundered & dismissed them, boarded several others particularly a Sch<sup>r</sup> from Phila<sup>a</sup> out 2 days for Surinam which she plundered & let pass, she boarded a number of Vessels previous to her falling in with the *Liberty*, which vessel she sent for Monte Christe as well as her other prizes, The Crew of the *Liberty* were put on board of a Brig from Newburn bound to Boston, leaving Cap<sup>t</sup> Vredenburg in the Ship to condemn her, — taking out what Money they could find — the Cap<sup>t</sup> is a Spaniard the person who acted a first Lieutenant, is an Englishman — formerly belonging to the *Queen* of 98 guns, who after committing murder made his escape to the Cape with the Tender of that Ship —

[SDA. French Spol.]

To the Secretary of State from John Hollins, owner of the  
Ship *Alexander Hamilton*

Ship *Alexander Hamilton*

BALTIMORE 17<sup>th</sup> July 1798

SIR I consider'd it proper to forward you the inclosed protest of Cap<sup>t</sup> Wyse &c &c of my Ship *Alex<sup>r</sup> Hamilton*, who was boarded by the French Privateer [*La Croyable*] lately captured & carried into Philad<sup>a</sup>

The value of the property stole out of the Ship I presume does not exceed One hundred & forty or fifty Dollars; if not too much trouble I will thank you to give me your advice what plan to adopt to get satisfaction, if it can be done thro' you, or if it is worth while taking legal steps against the Freebooters

Your reply, will greatly oblige me who has the honor to be very respectfully

Sir

Y: Mo: obd<sup>t</sup> S<sup>t</sup>

JOHN HOLLINS

The Honorable SECRETARY of STATE —  
Philad<sup>a</sup>

[SDA. French Spol.]

[Enclosure]

STATE OF MARYLAND }  
Baltimore County S<sup>t</sup> }

By this Public Instrument of Protest, be it made known and manifest unto all persons before whom the same shall come — that on the twelfth day of July in the Year of our Lord one thousand seven hundred and ninety eight before me Thomas Donaldson Notary public by lawful authority commissioned and sworn residing

in the City of Baltimore in the County and State aforesaid personally appeared Captain William Wise Master of the Ship *Alexander Hamilton* of the burthen of two hundred and seventy Tons and laden with Wine and Brandy now laying in this Port of Baltimore who noted and entered his Protest with me the said Notary against the French armed Privateer [space] her Officers Mariners and Owners for forcibly capturing the said Ship on a Voyage from New York to the port of Baltimore and plundering her of a number of Articles on board. And on this day the fourteenth of July in the year of our Lord one thousand seven hundred and ninety eight, aforesaid, again appeared the said Captain together with Henry Hale Mate and William Hayman Seaman belonging to the said Ship who upon their solemn Oaths which they then took before me on the holy Evangelists of Almighty God did depose and declare that on the fourth day of the present month of July they these Deponents in their said several Capacities sailed and departed in and with said Ship laden with Wine Brandy and Sundries from the port of New York bound on a Voyage to this port of Baltimore and being in the due prosecution of the said Voyage off Little Egg Harbour, on the Sixth following about the hour of ten oClock A. M. they met the aforesaid French armed Privateer which forcibly captured the said Ship *Alexander Hamilton* and detained these Deponents and said Ship until the hour of two oClock of said Sixth of July, during which time the Men belonging to the said Privateer plundered these Deponents and the said Ship *Alexander Hamilton* of the following Articles to wit: Seven Cases of Wine each case containing twelve bottles; about, thirty Dollars in Cash; one large Bayonne Ham; a case of razors the property of the Deponent Capt<sup>r</sup> Wise; one Box of Sweetmeats belonging to the British Consul at Baltimore; one elegant embroidered Fan made in Paris. These Deponents are not certain whether the said Privateersmen took any Ladies Shoes out of a Box which contained three hundred pair which they opened: or what was taken out of some trunks belonging to this Deponent Captain Wise; and out of a trunk belonging to a certain M<sup>r</sup> Abernethy; all of which trunks were also opened by the men belonging to the said Privateers: also several pounds of prunes and a number of other small articles. That at the aforesaid hour of two oClock P. M. the said Privateer permitted these Deponents to proceed on their Voyage — on the Evening of same day they these Deponents fell in with the United States Ship of War *Delaware* commanded by Captain Decatur and gave him information concerning the said French Privateer, who steered for the same by which she was afterwards captured, and they these Deponents arrived in and with said Ship *Alexander Hamilton* at this port of Baltimore the end of their said Voyage on the eleventh following of the said Month of July — Whereupon the said Master does in due form Note and enter protest with me the said Notary against the Owners Officers & Crew of the said French Privateer [space] for the unjust Capture and Detention of the said Ship *Alexander Hamilton*; and for the Robbery and plunder committed as aforesaid: to the end that all Losses and Damages, suffered in the premises, may be submitted unto, and borne by those to whom of right the same may appertain to be adjusted and recovered in time and place convenient

Thus done and protested at Baltimore aforesaid —

In Testimony whereof the said Deponents have hereto subscribed their names and I the said Notary have granted the said Master this Public Instrument under my hand and Notarial Seal, to serve and avail him and all whom it may concern as need and occasion shall require —

THO<sup>s</sup> DONALDSON  
Not<sup>y</sup> Pub. for Balt<sup>e</sup> Coun<sup>t</sup>

W<sup>m</sup> WYSE  
HENRY HALE  
WILLIAM HAYMAN  
[SDA. French Spol.]

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To General Henry Jackson, Navy Agent, Boston, from Secretary of Navy

[PHILADELPHIA,]  
7 July 1798

Gen<sup>l</sup> HENRY JACKSON *Boston*

SIR, Congress have passed an Act, to admit more general Captures of French Vessels — Pray suffer Nothing to prevent Cap<sup>t</sup> Nicholson's being ready for Sea, at a Moments Warning.

In two Days it is likely he may be ordered on a Cruise.

[NDA. GLB, Vol. 1.]

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To Captain Isaac Phillips, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]  
Navy Departm<sup>t</sup> 7 July. 1798

I. PHILLIPS *Balt<sup>e</sup>*

SIR, With this you will receive recruiting Instructions. As the Ship *Baltimore* will be entirely ready by the last of the Month, it is of Importance, that the Men should be ready as early — and you have no Time to loose. Lieut<sup>t</sup> Speake lives on Patomak, I think in Alex<sup>s</sup> — Lieut<sup>t</sup> West on the Eastern Shore of Virginia. Some Merch<sup>\*s</sup> in Baltimore, for whom he has sailed, can tell you the place — You should order Them immediately to the Ship, to be employed in the recruiting — You should if possible get your Men in Balt<sup>e</sup> — If you can not get them there, Lieut<sup>t</sup> Speake might be a proper Person to recruit some at Alexandria — The recruiting Officers for the Seamen, will be allowed Two Dollars a day for the Time they are employed in that service, and their reasonable & actual Expences for the Men, where they are recruited at a distance & the Expence of getting the Men to the Ship, provided Vouchers are produced, but not otherwise. —

The Lieut<sup>t</sup> of Marines is to be allowed one D<sup>r</sup> for each Recruit — In two or three days, I shall be more particular. —

For Instructions see Pages 5, 6, & 7. —

[NOTE. — Pages 5, 6 and 7 contain letter to the Lieutenant of Marines, Frigate *Constellation*, from Secretary of War, dated 16 March 1798.]

[NDA. OSW, Vol. 1.]

To Lieutenant Josias M. Speake, U. S. Navy, from Secretary of Navy

[PHILADELPHIA]  
Navy Departm<sup>t</sup> July. 7. 1798.

JOSIAS M. SPEAKE *Alexandria*

SIR, You being appointed the first Lieutenant of the Ship *Baltimore* lying at Baltimore, you will please to repair to that Place, without delay — It is necessary that you should be there immediately to raise Recruits — On your Arrival at Baltimore, you will apply to Cap<sup>t</sup> Phillips the commanding Officer of the *Baltimore* for Instructions. —

Lieut<sup>t</sup> JOSIAS M SPEAKE *Alexandria*

[NDA. OSW, Vol. 1.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
7 July 1798, Saturday

Squally Wether with much Rain, and a cross Sea running. At 8 PM it threatened a violent Tornado, took in all Sail, except the close reefed fore Top Sail. At 4 AM it cleared away a little, set all Sail, and out A. At 11 Ditto appearances as before, took in all the light Sails, and double reefed the Top Sails, no Vessels in Sight, at Noon in Main Sail &c.

Employed drying and airing the Sails, and Gunner's Stores, &c. &c. &c. all the latter Part of this Day, untill it commenced raining, and looked likely to blow heavy.

observed

Latitude/32°. 59' N°

Longitude account 74.55 W.

[HS of Pa. NDA photostat.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
8 July 1798, Sunday

Very squally disagreeable Weather, throughout the whole of these Twenty four Hours with much Rain, and at Times blowing very heavy from South South West to West South West; made and took in Sail according to the Weather, and stretched to the Southward, and Northward, as I considered it most probable that we should be enabled to hold our own, or gain to the Westward, and withal lower our Latitude, which we have made many fruitless Efforts to do, for several Days past, owing to the Perversness of the Winds.

Employed the People in repairing the little Chafings and Rubbings, occasioned by this uncommon, and unseasonable Weather, — and doing such other necessary Matters, as have deemed expedient.

Latitude 33°. 46' N°.

Longitude 75.45 W

[HS of Pa. NDA photostat.]



[9 July, 1798.]

Congress authorizes special commissions for private armed vessels

[United States Statutes at Large. Fifth Congress. Sess. II]

AN ACT FURTHER TO PROTECT THE COMMERCE OF THE UNITED STATES. (A)

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States shall be, and he is hereby authorized to instruct the commanders of the public armed vessels which are, or which shall be employed in the service of the United States, to subdue, seize and take any armed French vessel, which shall be found within the jurisdictional limits of the United States, or elsewhere, on the high seas, and such captured vessel, with her apparel, guns and appurtenances, and the goods or effects which shall be found on board the same, being French property, shall be brought within some port of the United States, and shall be duly proceeded against and condemned as forfeited; and shall accrue and be distributed, as by law is or shall be provided respecting the captures which shall be made by the public armed vessels of the United States.

SEC. 2. *And be it further enacted,* That the President of the United States shall be, and he is hereby authorized to grant to the owners of private armed ships and vessels of the United States, who shall make application therefor, special commissions in the form which he shall direct, and under the seal of the United States; and such private armed vessels, when duly commissioned, as aforesaid, shall have the same license and authority for the subduing, seizing and capturing any armed French vessel, and for the recapture of the vessels, goods and effects of the people of the United States, as the public armed vessels of the United States may by law have; and shall be, in like manner, subject to such instructions as shall be ordered by the President of the United States, for the regulation of their conduct. and the commissions which shall be granted, as aforesaid, shall be revocable at the pleasure of the President of the United States.

SEC. 3. *Provided, and be it further enacted,* That every person intending to set forth and employ an armed vessel, and applying for a commission, as aforesaid, shall produce in writing the name, and a suitable description of the tonnage and force of the vessel, and the name and place of residence of each owner concerned therein, the number of the crew and the name of the commander, and the two officers next in rank, appointed for such vessel; which writing shall be signed by the person or persons making such application, and filed with the Secretary of State, or shall be delivered to any other officer or person who shall be employed to deliver out such commissions, to be by him transmitted to the Secretary of State.

SEC. 4. *And provided, and be it further enacted,* That before any commission, as aforesaid, shall be issued, the owner or owners of the ship or vessel for which the same shall be requested, and the commander thereof, for the time being, shall give bond to the United States, with at least two responsible sureties, not interested in such vessel, in the penal sum of seven thousand dollars; or if such vessel be provided

with more than one hundred and fifty men, then in the penal sum of fourteen thousand dollars; with condition that the owners, and officers, and crews who shall be employed on board of such commissioned vessel, shall and will observe the treaties and laws of the United States, and the instructions which shall be given them for the regulation of their conduct: And will satisfy all damages and injuries which shall be done or committed contrary to the tenor thereof, by such vessel, during her commission, and to deliver up the same when revoked by the President of the United States.

SEC. 5. *And be it further enacted*, That all armed French vessels, together with their apparel, guns and appurtenances, and any goods or effects which shall be found on board the same, being French property, and which shall be captured by any private armed vessel or vessels of the United States, duly commissioned, as aforesaid, shall be forfeited, and shall accrue to the owners thereof, and the officers and crews by whom such captures shall be made; and on due condemnation had, shall be distributed according to any agreement which shall be between them; or in failure of such agreement, then by the discretion of the court before whom such condemnation shall be.

SEC. 6. *And be it further enacted*, That all vessels, goods and effects, the property of any citizen of the United States, or person resident therein, which shall be recaptured, as aforesaid, shall be restored to the lawful owners, upon payment by them, respectively, of a just and reasonable salvage, to be determined by the mutual agreement of the parties concerned, or by the decree of any court of the United States having maritime jurisdiction according to the nature of each case: *Provided*, that such allowance shall not be less than one eighth, or exceeding one half of the full value of such recapture, without any deduction. And such salvage shall be distributed to and among the owners, officers and crews of the private armed vessel or vessels entitled thereto, according to any agreement which shall be between them; or in case of no agreement, then by the decree of the court who shall determine upon such salvage.

SEC. 7. *And be it further enacted*, That before breaking bulk of any vessel which shall be captured, as aforesaid, or other disposal or conversion thereof, or of any articles which shall be found on board the same, such capture shall be brought into some port of the United States, and shall be libelled and proceeded against before the district court of the same district; and if after a due course of proceedings, such capture shall be decreed as forfeited in the district court, or in the circuit court of the same district, in the case of any appeal duly allowed, the same shall be delivered to the owners and captors concerned therein, or shall be publicly sold by the marshal of the same court, as shall be finally decreed and ordered by the court. And the same court, who shall have final jurisdiction of any libel or complaint of any capture, as aforesaid, shall and may decree restitution, in whole or in part, when the capture and restraint shall have been made without just cause, as aforesaid; and if made without probable cause, or otherwise unreasonably, may order and decree damages and costs to the party injured, and for which the owners, officers and crews of the private armed vessel or vessels by which such unjust capture shall have been made, and also such vessel or vessels shall be answerable and liable.

SEC. 8. *And be it further enacted*, That all French persons and others, who shall be found acting on board any French armed vessel, which shall be captured, or on board of any vessel of the United States, which shall be recaptured, as aforesaid, shall be reported to the collector of the port in which they shall first arrive, and shall be delivered to the custody of the marshal, or of some civil or military officer of the United States, or of any state in or near such port; who shall take charge for their safe keeping and support, at the expense of the United States.

Approved, July 9, 1798.

[Statute 1, pages 578-580.]

To Secretary of War from Secretary of Navy

[PHILADELPHIA,]

Navy Department. 9. July. 1798.

SEC<sup>y</sup> at WAR

SIR, The French Prize Schooner, taken by Cap<sup>t</sup> Decatur, is now at Fort Mifflin, with 53 Men, her crew on Board. —

The Laws of Penns<sup>a</sup> will not it seems, permit her to pass up to Phila<sup>a</sup> — nor the Crew who are Prisoners, to be landed on either of the Shores of the Delaware. They may, I understand, be landed in the Fort. —

The Schooner is represented to be a fine Sailor, well fitted for a cruise, & I am anxious to make immediate use of her. — I have therefore the honor to request, if you see no Impropriety in It, that you will give orders which Cap<sup>t</sup> Decatur will take down, to the commanding Officer at the Fort to receive the Prisoners and to have them safely kept, until the Quarantine Laws of the State, will permit Their Removal. —

[NDA. Sec War LB, 1798-1824.]

To Rufus King, United States Minister, London, from James Maury,  
United States Consul, Liverpool

LIVERPOOL, 9<sup>th</sup> July 1798

DEAR SIR, The packet for M<sup>r</sup> Low is in the *Henrietta*, Stevenson, an unarmed Vessell, for Philadelphia this week — That for M<sup>r</sup> Pickering with one for M<sup>r</sup> Morris in the armed Ship *Sally*, Morgan, for New-York to morrow —

On the 10<sup>th</sup> January last I drew on you for £2. 8. 5 amount of my postages to 31<sup>st</sup> December, which appears to have been duly paid — These Vessells are going in the course of the Week —

I have the Honor to be with perfect respect

Your Excellency's

Most obedient Servant

JAMES MAURY

His Excellency RUFUS KING

Minister Plenipotentiary to the U. S. A.

London —

[SDA. Liverpool, Vol. 1, C. L., 1790-1800.]

[Enclosure]

<i>Henrietta</i>	— Stevenson for Philadelphia	— unarmed
<i>Sally</i>	Morgan	New-York armed
<i>Sally</i>	Campbell	Boston } unarmed
<i>Trio</i>	Congas	New-York }
<i>Eliza</i>	Benson	Baltimore armed

[SDA. Liverpool, Vol. 1, C. L., 1790-1800.]

Extract from Captain Thomas Truxtun's Journal, U. S. Frigate *Constellation*,  
9 July 1798, Monday

Fresh Breezes from the South West, the first Part. At 4 PM saw a Sail in the North North West, gave Chace. About 5 Ditto brought her to with two Shot, and afterwards spoke the Ship *Rachel* from Charleston South Carolina bound to New York, out three Days; discharged her, and gave Chace to a Sail bearing North B. W. of us, at 6 Ditto spoke the Brig *Beaver* from Philadelphia bound to Savannah in Georgia, at 7 Ditto sounded in 60 Fathoms Water, dark Mud and Sand, Cape Hatteras at that Time bearing North, Twenty Leagues Distance. — The Wind being to the West South West, and blowing a violent Gale wore and stood to the Southward, under the double reefed main, and fore Top Sails only.

At Day Light saw a Schooner in the North East, which tacked, and stood in Shore, at 6 AM the Wind came to the Westward, and soon after hawled to the Northward, when I directed the Course to be steered West to get out of the Gulph Stream, which runs very strong, made Sail, and set up the Rigging. Employed as before.

Latitude observed  $34^{\circ}58' N^{\circ}$ 

Longitude Account 75.20 W

[HS of Pa. NDA photostat.]

To Secretary of War from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 10 July. 1798SEC<sup>y</sup> of WAR.

SIR, The French Prize at the Fort having got clear of her Crew, & the Marshall being about to take possession of her, There will be no Difficulty in preparing her for a Cruise, if the Goods on Board can be landed. This too can be done, if they can be stored in any House at the Fort.

Will you be so good as to give orders to the commanding officer at the Fort — to furnish Room if he can for the reception of the Goods — In this Case, Mr. Humphreys will take immediate Steps to prepare the Schooner for a Cruise, & She may be ready to receive her men by the Time She is condemned. —

[NDA. Sec War LB, 1798-1824.]

To Jeremiah Hubbard, agent, Middleton, Conn., from Secretary of Navy

[PHILADELPHIA,]

Navy Department July 10<sup>th</sup> 1798

JEREMIAH HUBBARD Esq<sup>r</sup>

*Middleton Connecticut*

SIR Altho I have not the pleasure of a personal acquaintance with you, yet your character is sufficiently known to me to induce the present application, which will call for an attention and exertion on your part for the service of the United States, & which I flatter myself from my Idea of your public Spirit & Patriotism, you will be willing to bestow on the object in question —

This being premised, I beg leave to inform you, that there is Wanting for the United States, a Ship, capable of carrying 24 Guns, which you will please to contract for the building of, with as little delay as possible, keeping in view the following principles. —

1<sup>st</sup> That the materials be of the best live Oak or red Cedar, except the floor Timbers and the Floor futtocks, or of the best seasoned White Oak, to be determined by Inspection — No Timber inferior to seasoned White Oak to be used. —

2<sup>nd</sup> The public to furnish the Copper Sheathing, Copper Bolts, and Spikes, the Iron Work to be contracted for Separately by the pound, and delivered under the Check of an Agent — The whole of the materials however, to be placed in the Ship, at the Expence of the Contractor. —

3<sup>rd</sup> The Dimensions to be 93 feet Keel, 31 feet Beam and 13½ feet Hold — to be pierced for 20 Guns, exclusive of the bridle Ports on the main Gun Deck and two on the Quarter Deck — to have an Orlope deck, and to be of sufficient strength, and in all respects compleated for a Ship of War, Permission to be reserved to vary the dimensions, but without Injury or expence to the Contractor. —

4<sup>th</sup> The Contract must be made per Ton of Carpenters Measurement, according to the Rules of Philadelphia — The shortest time possible, must be given for launching and compleating the Ship. It is hoped the time will not exceed 90 days —

5<sup>th</sup> A Bond with Sureties to be required to secure the Execution of the Contract, and a due Settlement for all Advances —

6<sup>th</sup> No after Bills to be admitted —

It will be important to dispose of the business in such a manner, that it will proceed with dispatch and order, of course the contract should be made with none but a man of Skill, and responsible Character, and I must depend on you to procure the Sails, the Rigging, Guns, Copper and every Article wanted for the Ship, to fit her for a compleat Sloop of War, and so to make your arrangements that nothing may be waited for —

The Compensation heretofore given by the public for such services, has been 2 p. Cent on all expenditures — The public furnishing the money as wanted — It is expected you will be content with the same, in Addition to the Satisfaction of rendering important service to Your Country —

You will please to advise me regularly of your proceedings in this Business —

A Captain in due time will be appointed, — who will superintend the Building — Seth Overton of Chatham & Arthur Magill of Middleton, are persons who I am inform'd have now on hand a quantity of Excellent and Well seasoned Timber — which I mention for your government. —

[NDA. GLB, Vol. 1.]

To General Lincoln, Collector, Boston, from Secretary of State

Gen<sup>l</sup> LINCOLN, *Collector Boston.*

[PHILADELPHIA,]

*Department of State July 10<sup>th</sup> 1798*

SIR The haste with which the law for capturing armed French vessels on the high Seas, and recapturing American vessels and property, was carried thro' Congress, occasioned some errors which there is now not time to correct, as well as some omissions. We must execute the law as we find it.

To accomodate the citizens who fit out armed vessels, the commissions, bonds and instructions must be transmitted to all our ports; and the Collectors and other officers of the Customs are the persons obviously most proper to receive applications and deliver out the commissions and instructions, and take the requisite bonds. I therefore transmit herewith [space] commissions, and a like number of bonds and instructions, to be used accordingly in your district. More will be forwarded as soon as possible for yours and the neighbouring ports, either from my office or that of the Treasury; that no time may be lost I send these few setts.

I am respectfully, your ob<sup>t</sup> Serv<sup>t</sup>

TIMOTHY PICKERING.

[SDA. Dom. L., Vol. 11.]

To Mr. Malcolm from Secretary of the Navy

[PHILADELPHIA,]

*Navy Office 10, July 1798*

MR MALCOLM.

SIR, I have the honor to inclose, a Commission for a Lieutenant on board the Frigate *Constitution*; a Warrant for a Sailing Master, and another for a Midshipman, intended to serve on board the Ship to be built for Cap<sup>t</sup> Rich<sup>d</sup> V. Morris, at N. York, which I beg you will lay before the President, for his Signature. —

Commission —

Patrick Fletcher — Lieutenant

Warrants —

Stephen Lee Sailing Master.

Benjamin Carpender Midshipman. —

[NDA. Nom. Appts. LB, 1798-1820.]

Instructions of Secretary Stoddert, 10 July 1798, to commanders of United States armed vessels

[PHILADELPHIA,]

— JOHN ADAMS —

— *President of the United States* —

Instructions to the Commanders of armed Vessels, belonging to the United States, given at Philadelphia, the Tenth day of July, in the Year of our Lord, One thousand seven hundred and Ninety Eight, and in the Twenty third Year of our Independence.

In Pursuance of the Acts of Congress, passed the 28<sup>th</sup> day of May, the Twenty Eighth day of June, and the Ninth day of July: —

You are, hereby, authorized, instructed and directed to subdue seize and take any armed French Vessel, or Vessels sailing under Authority or Pretence of Authority from the French Republic, which shall be found within the Jurisdictional Limits of the United States, or elsewhere on the high Seas: and such captured Vessel with her Apparel, Guns and Appurtenances, and the Goods and Effects which shall be found on board the same, together with all French persons and others, who shall be found acting on board, to bring within some Port of the United States; and also to retake any Vessels, Goods, and Effects of the Citizens of the United States, or Persons resident therein which may have been captured by any French Vessel — in Order that Proceedings may be had concerning such Capture or Recapture in due Form of Law, and as to right shall appertain. —

By Command &c

Signed BEN STODDERT

[NDA. OSW, Vol. 1.]

[10 July, 1798.]

Copy of a letter from Captain Hall of the H. M. S. *Lynx*, regarding the capture of the *Liberty*, Vredenburg

“Your ship the *Liberty*, from Philadelphia bound to Liverpool, had not reached the edge of soundings, when she was captured by a French privateer and sent for C. Francois, six days afterwards (the 10th inst.) I had the good fortune in his majesty’s ship, under my command to retake her — the capt. is on board and well, the ship is gone to Halifax where, before you receive this, I hope she will have arrived.”

[LC, Phila. “Claypoole’s American Daily Advertiser”, 31 July, 1798.]

Extract from Captain Thomas Truxtun’s journal, U. S. Frigate *Constellation*, 10 July 1798, Tuesday

[10 JULY, 1798. TUESDAY.]

All these Twenty four Hours, moderate Breezes from the Northward, and Eastward, and Summerlike Weather; what we have not experienced before, since leaving the Chesapeake Bay.

At 4 PM made the Land of Cape Hatteras from the Masthead bearing West B. North, Distance about 9 Leagues, sounded at the same Time, and found Thirty five Fathoms Depth of Water over a small Shelly, and muddy Bottom. Steered from South West B. South to South West B. West according as we deepened, or shoaled

the Water, untill 11 PM when we were in Twenty three Fathoms Water fine Grey Sand, I then judged myself to be as far to the Southward as 34°. 40' N. entirely clear of all the Shoals of Hatteras, when I shaped the Course South West B. West along the Coast, many small Coasting Vessels in Company.

At 8 AM sounded in Eleven Fathoms Water, dark fine Sand, and at 9 Ditto made from the Mast head the Shoals of Cape Lookout on the Starboard Beam.

At Noon the Depth of Water was seventeen Fathoms, over a Bottom of Coarse black Sand. Untill we struck Soundings for Several Days past have found the Gulph Stream run North East at the Rate of three knots per Hour.

Latitude observed 34° .10' N<sup>o</sup>

Longitude Account 77.00 W.

[HS of Pa. NDA photostat.]

[11 July 1798.]

Congress authorizes the establishment of U. S. Marine Corps

#### AN ACT FOR THE ESTABLISHING AND ORGANIZING A MARINE CORPS

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States in Congress assembled,* That in addition to the present military establishment, there shall be raised and organized a corps of marines, which shall consist of one major, four captains, sixteen first lieutenants, twelve second lieutenants, forty-eight sergeants, forty-eight corporals, thirty-two drums and fifes, and seven hundred and twenty privates, including the marines who have been enlisted, or are authorized to be raised for the naval armament; and the said corps may be formed into as many companies or detachments, as the President of the United States shall direct, with a proper distribution of the commissioned and non-commissioned officers and musicians to each company or detachment.

SEC. 2. *And be it further enacted,* That the pay and subsistence of the said officers, privates and musicians, shall be as follows, to wit: To a major, fifty dollars per month, and four rations per day; to a captain, forty dollars per month, and three rations per day; to a first lieutenant, thirty dollars per month, and three rations per day; to a second lieutenant, twenty-five dollars per month, and two rations per day; and to the non-commissioned officers, privates and musicians, conformably to the act, intituled "An act providing a naval armament," as shall be fixed by the President of the United States: And the President of the United States shall be, and is hereby authorized to continue the enlistment of marines, until the said corps shall be complete; and of himself, to appoint the commissioned officers, whenever, in the recess of the Senate, an appointment shall be necessary. And the enlistments, which shall be made by virtue hereof, may be for the term of three years, subject to be discharged by the President of the United States, or by the ceasing or repeal of the laws providing for the naval armament. And if the marine corps, or any part of it, shall be ordered by the President to do duty on shore, and it shall become necessary to appoint an adjutant, paymaster, quartermaster, sergeant-major, quartermaster-sergeant, and drum and fife-major, or any of them, the major or commandant of the corps, is hereby



authorized to appoint such staff officer or officers, from the line of subalterns, sergeants and music, respectively, who shall be entitled, during the time they shall do such duty, to the same extra pay and emoluments, which are allowed by law, to officers acting in the same capacities in the infantry.

SEC. 3. *And be it further enacted*, That the detachments of the corps of marines hereby authorized, shall be made in lieu of the respective quotas of marines, which have been established or authorized for the frigates, and other armed vessels and galleys, which shall be employed in the service of the United States; And the President of the United States may detach and appoint such of the officers of the marine corps, to act on board the frigates, and any of the armed vessels of the United States, respectively, as he shall, from time to time, judge necessary; any thing in the act "providing a naval armament" to the contrary hereof notwithstanding.

SEC. 4. *And be it further enacted*, That the officers, non-commissioned officers, privates, and musicians aforesaid, shall take the same oath, and shall be governed by the same rules and articles of war, as are prescribed for the military establishment of the United States, and by the rules for the regulation of the navy, heretofore, or which shall be established by law, according to the nature of the service in which they shall be employed, and shall be entitled to the same allowance, in case of wounds or disabilities, according to their respective ranks, as are granted by the act "to ascertain and fix the military establishment of the United States."

SEC. 5. *And be it further enacted*, That the non-commissioned officers, musicians, seamen and marines, who are or shall be enlisted into the service of the United States; and the non-commissioned officers and musicians, who are or shall be enlisted into the army of the United States, shall be, and they are hereby exempted, during their term of service, from all personal arrests for any debt or contract.

SEC. 6. *And be it further enacted*, That the marine corps, established by this act, shall, at any time, be liable to do duty in the forts and garrisons of the United States, on the sea-coast, or any other duty on shore, as the President, at his discretion, shall direct.

*Approved, July 11, 1798.*

[Statute II, page 594.]

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To Captain John Barry, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 11. July. 1798*

JOHN BARRY

SIR, The Congress have lately passed an Act, which you will find enclosed, as well as your Instructions, founded upon that Act, authorizing the Capture of French armed Vessels, wherever found on the high Seas.

From the best Information, to be obtained here, it does not appear that the French have any considerable Force, in the West-Indies; three light Frigates, blocked up by the English, at Cape Francois, comprise, as I understand, the whole of their Public Force. and these, it is beleived, only wait a safe Opportunity to leave the Island and return to France. Their Cruisers of smaller size, are numerous, &

find Shelter in the Spanish, Danish & Dutch Islands, as well as their own. —

Under such Circumstances, it is thought probable, that a small Squadron, under the Command of an Officer of your Intelligence, Experience & Bravery might render essential service, & animate your Country to Enterprize, by picking up a Number of Prizes in the short Cruise to the Islands. —

I am, Therefore, instructed by the President to direct, that taking the *Delaware*, Cap<sup>t</sup> Decatur, under your Command, you proceed without Delay to Cape Cod (& not finding Cap<sup>t</sup> Sever there to Nantasket road) where you will be joined by the *Herald* Cap<sup>t</sup> Sever of 20 Guns, and a Revenue Cutter of 14 Guns, from Boston, with this Force you will proceed with all practicable Expedition to the West Indies, endeavouring to fall in with the Islands, three or four degrees to the Windward of Barbados. & thence, keeping to the Windward of Martinico, Guadaloupe, & Antigua, & so disposing of the Vessels under your Command, as to afford the greatest chance of falling in with the French-armed Vessels — and yet keeping each within protecting distance of the whole — You will look into St Johns, the principal Harbour of Porto-Rico, & after two or three days cruising on the South Side of that Island, you will return again to the Continent, making for Delaware, New York, or Rhode Island, according to Circumstances. —

Altho' I have pointed out your course, yet it is to be understood, that you are not rigidly to adhere to It, if Circumstances should intervene to render in your Judgment, a Departure therefrom, expedient or necessary. The object of the Enterprize is, to do as much Injury to the armed Vessels sailing under the Authority of France, & to make as many Captures as possible, consistently with a due Regard (& more than a due Regard you will not suffer to be paid) to the Security of our own — and you will use your best Means to accomplish this Object. —

The Ship *New Jersey*, Cap<sup>t</sup> Clay, from the East Indies, the Property of Mess<sup>rs</sup> Nicklin & Griffith has been captured by the French and carried into St Johns in Porto Rico. These Gentlemen expect that the Ship & Cargo will soon be in the Power of their own Agent, Doc<sup>t</sup> Edward Stevens at St Johns. The duties this Vessel will pay to Government, if she arrives safe, make her an Object meriting Public Protection, to say Nothing about the duty of Government to protect the Property of all it's Citizens.

You will, therefore, give every Aid to this Vessel in your power, & if She can be got out of the harbour of St John's, take her under your Convoy — When you arrive in the Neighbourhood of the Island, you will judge whether you can prudently detach Cap<sup>t</sup> Decatur to hover about the harbour, & to communicate with the Agent or Cap<sup>t</sup> of the Ship, before your own Arrival. —

Porto Rico is the Place it seems, where the greater Part of our captured Seamen collect to return to their own Country — It is said, they are exposed to great Sufferings there — to relieve their distresses and to restore so valuable a Body of Men to their Country, ought to be Objects with Government & it's Officers — When you get off the harbour of St John's, there will be no Impropriety in your writing a

civil Letter to the Governor, requesting that the American Seamen in that Port, may be restored to you — I have drafted a Letter which it appears to Me proper that you should address to the Governor — Being at Peace with Spain, you must take no hostile Measures to obtain them, if the civil Demand contained in the Letter, should not produce Them — This Letter may be sent into the harbour by one of the Ships under your Command, or the Cutter — & the Vessel so sent, may immediately take the *New Jersey* under her Protection, if She be permitted to sail for America. — The Act of Congress enclosed, will direct the Measures to be pursued with respect to your Prizes. I need not add on that Subject. —

In your Treatment of the Vessels, Citizens & Subjects of all Nations, except the French armed Vessels, & the Persons found on board of Them — You will bear in mind, that We are at Peace, and wish to continue in Peace with all Nations who will suffer us, to be at Peace with them, and that the Commander of an American Squadron, ought to be as much distinguished for his Attention and Adherence to all the rights of Humanity & Hospitality, as by his firmness in the support of the honor of his Country. —

Should you even see an American Vessel captured by the armed Ship of any Nation at War, with whom WE are at Peace, you cannot lawfully interfere to prevent such Capture — It must be presumed until the Contrary be proved, that the Courts of that Nation will render Justice. — Nor must you recapture any American Vessel taken by any such Nation — The Law of Nations, forbids It, and We must respect that Law. —

To the Dishonor of the American Name, some Officers of the United States, I wish I could not with Truth add many, in the Civil Line as well at home as abroad, Officers whose Conduct proved them unworthy of the Distinction they had received; too frequently have indulged Themselves in the disgraceful Licentiousness of villifying our Government & those Characters in It best entitled to the Esteem & Gratitude of the Country. If We do not respect Ourselves, how can it be expected that We are to command Respect from others — It is scarcely necessary, for Me in writing to a brave Man, who values his own Country, it's Government & it's Laws, to suggest the Usefulness of inculcating upon those under his Command, the Propriety of preserving in their Language and Conduct, the same Respect which he himself feels for those Constitutions and those Characters, which deserve the Respect of all — It is Time We should establish an American Character — Let that Character be a Love of Country and Jealousy of it's honor — This Idea comprehends every Thing that ought to be impressed upon the Minds of all our Citizens, but more especially of those Citizens who are also Seamen & Soldiers. —

The Length of Time to be consumed in your Expedition, will depend upon such a Variety of Circumstances, that no accurate Judgement can be formed of the Time of your Return. Yet it is hoped, that you may be on our Coasts in two Months, from the Time you depart from Boston Bay. —

Wishing you all possible Success & honor in this Enterprize, & adding the Assurances of the President's Confidence, that Nothing will be left undone on your Part, to insure both honor & Success I remain &c

[Enclosure]

DRAFT OF A LETTER, PROPOSED TO BE WRITTEN BY CAP<sup>T</sup> BARRY,  
TO THE GOV<sup>R</sup> OF PORTO RICO — VIZ<sup>T</sup>

At sea, off PORTO RICO —

1798

SIR, The Government of the United States, have received repeated Information that many American Seamen belonging to Vessels which have been captured by French Cruizers and carried into Porto Rico, have some times been confined as Prisoners, and if not so confined, have been exposed to much Inconvenience and real Suffering for want of adequate Supplies of Provisions, and the Means of returning to their Country. — The President of the United States has therefore directed Me, when on this Station, to address your Excellency on this subject; and particularly to request that any American Citizens under Confinement in the Island of Porto Rico (if such there be) may be released, and with others of their Countrymen, permitted to come on board the Ships under my Command, that they may return to the United States. —

This Request, I make to your Excellency in the Confidence due from one friendly Nation to another, and especially in the Case of two Nations like our's reciprocally entitled by a Treaty of Friendship to all the Offices of Humanity, & to Favor, Protection and Assistance.

Captain                      will have the honor to deliver to your Excellency this Letter, and if convenient to receive your Answer.

I have the honor to be

Sir, your Excellency's  
most obed<sup>t</sup> & most hble Serv<sup>t</sup>

His Excellency, The GOVERNOR OF PORTO RICO.

For Instructions to Cap<sup>t</sup> Barry, See Page 98.

[NOTE.—Page 98 contains instructions to commanders of armed vessels, given at Philadelphia, 10 July 1798, included in this volume.]

[NDA. OSW, Vol. 1.]

To Captain Stephen Decatur (senior), U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 11. July. 1798.

Cap<sup>t</sup> STEPHEN DECATUR

SIR, Enclosed, you will receive new Instructions, founded on a late Act of Congress, which is also enclosed. —

You will immediately proceed with your Ship at the Capes of Delaware, where you will fall in with the Frigate *United States* Cap<sup>t</sup> Barry, under whose Command you will place Yourself, on an Enterprise, about which he has particular Orders, which he will communicate to you — on that subject, I need not be more explicit. —

You are now at Liberty by the present Instructions to capture French armed-Vessels wherever to be found on the high Seas, but you will remember that We are at War only with the armed Vessels of France — The Vessels, Citizens & Subjects of Nations, with whom We are at Peace, are entitled to the same Civility Respect & Friendship from Us, which We wish to receive from Them. — American

Officers must not be outdone in the Offices of Humanity & Politeness, any more than in Bravery & Enterprize. —

You are not even authorized by the Law of Nations nor by our own Laws, to recapture an American Vessel taken by the armed Vessels of any Nation but France — We are to presume until the Contrary be proven, that their Courts will do us Justice. —

To the disgrace & see Page 92 Paragraph beginning with To the Dishonor & —

Wishing you all Manner of Success & honor, & not doubting but that you merit both. —

I remain &

*See Instructions on following Page. —*

[NOTE.—Page 92 contains part of letter to Captain John Barry dated 11 July 1798. The "following page" represents page 98 which contains instructions to commanders of armed vessels, at Philadelphia, 10 July 1798, included in this volume.]

[NDA. OSW, Vol. 1.]

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To Lieutenant Harwood, U. S. M. C., from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 11. July. 1798*

Lieut<sup>t</sup> HARWOOD

SIR, Being appointed Lieutenant of Marines for the Ship *Baltimore* at Balt<sup>o</sup> Cap<sup>t</sup> Isaac Philips Commander, you will without delay proceed to Balt<sup>o</sup> and take Instructions for Cap<sup>t</sup> Phillips, respecting your Conduct in recruiting the Marines — I would suggest the Propriety of getting as large a Proportion as possible of your Men Americans, — they can be depended upon to defend the rights & honor of their Country. —

Cap<sup>t</sup> Phillips will supply you with Money for the recruiting Service — Wishing you success in getting Men & a successful & honorable Cruise, I am &

[NDA. OSW, Vol. 1.]

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To Captain James Sever, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy Departm<sup>t</sup> 11 July 1798*

Captain JAMES SEVER

SIR, Presuming that your Ship the *Herald* will be ready by the Time this Letter gets to your hands, for a Cruise. — I have it in Command from the President, to direct that you will without delay, repair to Nantasket Road, where it is expected you will fall in with the Frigate *United States*, Cap<sup>t</sup> Barry — & the *Delaware*, Cap<sup>t</sup> Decatur — The Revenue Cutter at New Bury will join you there, or at Cape Cod, whither you will proceed if you should not find Cap<sup>t</sup> Barry at Nantasket — Cap<sup>t</sup> Barry will sail from the Capes of Delaware tomorrow, & will make the best of his way to Cape Cod, from whence, if he should not find you there, he will proceed to Nantasket Road; it is very desirable that you should early fall in with each other. —

When you join Cap<sup>t</sup> Barry, You will put Yourself under his Command, on a Cruise, which will probably not be ended sooner than Two Months, if so soon — As you will receive your Orders from him, I need not add on that Subject — You will find enclosed your authority for making Prize of all armed French Vessels wherever found — & the Act of Congress on which this Authority is founded — You will recollect that We are at War only with the armed Vessels of France, and that the Vessels Citizens and Subjects of all other Nations, have a right to expect from Us, all those Offices of Friendship humanity and Politeness, which We are desirous of receiving from Them.

To the dishonor of the American Name &c &c &c &c. See Page 92. Paragraph of Letter to Cap<sup>t</sup> Barry beginning with To the dishonor &c<sup>t</sup> [Note. This letter to Captain Barry on page 92 is dated 11 July, 1798.]

For Instructions — See Page 98 & 99. —

Wishing you Success & honor, & adding the President's Assurances of his Confidence that you will merit both — I have the honor &c<sup>t</sup>

[NOTE.—Pages 98 and 99 contain instructions to commanders of armed vessels, at Philadelphia, 10 July 1798, included in this volume.]

[NDA. OSW, Vol. 1.]

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To Stephen Higginson, Navy Agent, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 11<sup>th</sup> July 1798*

STEPHEN HIGGINSON Esq<sup>t</sup> *Boston*

SIR I have only time to say, that Capt<sup>s</sup> Sever and the Cutter will receive orders by the Mail of to morrow, for a three months cruise — pray so order, that they may be ready — They will join Cap<sup>t</sup> Barry, and a 20 Gun Ship at Cape Cod, or Nantucket road — The Secretary of the Treasury will give directions for the Cutter to attend to my orders — As to the cloathing for the Marines, Slops, and pursers acc<sup>ts</sup> no arrangements have been made, except for the clothes which are here, but which cannot be sent on, and I hope, are provided at Boston— The powder & Muskets, will certainly be in time from Springfield, if not, they must be procured, at whatever expence— The pursers Acc<sup>ts</sup> must be kept in the best way to avoid confusion, untill permanent arrangements can be made — The Slops must be delivered to the purser, to be by him charged to the men, as they receive them — These and all other things you will be so good as to regulate, as you think best, and let nothing intervene to delay Cap<sup>t</sup> Sever, and the Cutter, after they receive Instructions — Whatever you do, will be Judicious, & will be approved of — —

[NDA. GLB, Vol. 1.]

To James Watson, Navy Agent, New York, from Secretary of Navy

[PHILADELPHIA,]

Navy Department July 11<sup>th</sup> 1798

JA<sup>s</sup> WATSON Esq<sup>r</sup> New York

SIR I have received your favours of the 7<sup>th</sup> & 9<sup>th</sup> Instant — Being desirous to alter the dimensions of the Ship intended for Cap<sup>t</sup> Morris, I will thank you to conform to the following Viz<sup>t</sup>

108 feet Keel  
34 feet Beam  
10 feet 9 In<sup>r</sup> Hold  
5 feet 6 In<sup>r</sup> Between decks  
5½ to 6 feet Waist

She must be calculated to carry 24 *Twelve* pounders on the main deck, and you will contract for Cannon of that size, and as there has yet been no rules established in this respect, Cap<sup>t</sup> Morris can choose one that he approves of, — which may be given as a Model — You will please to inform yourself if a contract can be made, and on what Terms, for finishing the Frigate, the Keel of which has been so long ago laid —

[NDA. GLB, Vol. 1.]

To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

Navy Department July 11<sup>th</sup> 1798

JER<sup>b</sup> YELLOTT Esq<sup>r</sup> Balt<sup>o</sup>

SIR Your Letter of the 9<sup>th</sup> Instant is before me — I hope you will be able to procure the Guns for the *Montezuma*, but should this not be the case I will ascertain, whether those in possession of M<sup>r</sup> Hughes can be spared for that purpose — and advise you accordingly — I thank you for your hints, respecting the disgraceful and pernicious practice prevailing, in the Sale of American Vessels for Foreign privateers — which shall be attended to. —

[NDA. GLB, Vol. 1.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
11 July 1798, Wednesday

Moderate Breezes all these Twenty four Hours, and smooth Water. I perceive a strong Current setting in the Bight, between the Shoals of Cape Lookout, and those of the frying Pan, near Cape Fear. I therefore recommend great Caution to such as navigate hereabouts.

At 10 PM the Wind, that had been from East South East to South East, shifted to South; sounded in 9½ Fathoms Water off the Frying Pan, dark Sand, at 11 Ditto tacked, and stood to the Eastward untill 6 AM, when we tacked again, and stood to the Westward, and at 8 Ditto sounded, and had Twenty two Fathoms Water. Bottom as before

At 9 ditto saw a Ship to Leeward in the North North West, got to Quarters, and bore down upon her; at 10 Ditto spoke the Ship *South*

*Carolina*, John German, Master, from Charleston, bound to Philadelphia, out two Days, had seen no Cruizers.

At noon the depth of Water was Twenty one Fathoms, dark Sand, like Pepper and Salt mixed.

Latitude observed 33°.35' N<sup>o</sup>

Longitude Account 77.30 W.

[HS of Pa. NDA photostat.]

To the Comptroller of the Treasury from Secretary Pickering

[PHILADELPHIA,]

Department of State, 12 July 1798.

THE COMPTROLLER OF THE TREASURY.

SIR, The President having granted a permission to the Collector of Baltimore to clear the Brigantine *Liberty*, belonging to Jesse Fearson, for Cape Francois, to aid the departure of French persons, I have thought it necessary to write the enclosed letter to the Collector, in order to caution him against the abuse that is practicable under such permissions. As the subject is novel, I shall be obliged by your considering it and suggesting any other expedient that may occur to you of a nature to guard against the possibility of carrying on an intercourse with the French possessions, not allowed by law, As permissions of this kind will generally pass through my office, I propose to write a similar letter to the Collectors to whom they may be addressed from time to time as they are issued. I enclose you a copy of the permission granted in the case of the *Liberty* which with the letter to the Collector, be pleased to return.

I am, Sir, very respectfully &c

TIMOTHY PICKERING.

[Enclosure]

DEPARTMENT OF STATE July 12. 1798.

ROBERT PURVIANCE Esq<sup>r</sup> Collector of Baltimore

SIR, I have just delivered to Captain Jesse Fearson of Baltimore the President's permission for you to clear his brigantine called the *Liberty*, to carry French passengers to Cape Francois. Under the terms "goods and effects" of French persons, if great care be not taken, a traffic will still be carried on with the French ports, and the object of the law referred to, be frustrated. If an American vessel, fairly designed to deport French persons, according to the act, as many passengers will ordinarily be engaged as she can conveniently carry: and this circumstance may be considered as a good criterion of the real object of the voyage. On the other hand, if few passengers embark, with many "goods and effects," they may justly be suspected of collusion.

I have taken the liberty to suggest these remarks as they occurred, in a measure which in this country is novel, and from the singularity of our political situation, perhaps unexampled.

I am very respectfully, Sir, Your Ob<sup>t</sup> Serv<sup>t</sup>

TIMOTHY PICKERING



To Captain Jonathan Chapman, Revenue Cutter *Pickering*, from Secretary of Navy

[PHILADELPHIA,]

Navy Department 12. July. 1798.

Cap<sup>t</sup> JONATHAN CHAPMAN *Boston*

SIR, By an Arrangement with the Secretary of the Treasury, your Cutter is to be put under my direction as soon as she is fitted for sea — I presume you have received Letters from the Sec<sup>y</sup> of the Treasury to this Effect — and I hope this will find you prepared for Sea — with at least 3 months Provisions on board. —

This being the Case, you will without delay proceed with your Cutter, to Nantasket Road, & endeavour to fall in with the Frigate *United States* Cap<sup>t</sup> Barry, under whose Command you will place Yourself. Not finding Cap<sup>t</sup> Barry at Nantasket Road, you will proceed to Cape Cod, at one or other of these places you will certainly fall in with him.

He will leave the Capes of Delaware, I take for granted this day — & will make the best of his way to Cape Cod — & not finding you & Captain Sever there, to Nantasket Road. —

Enclosed you will receive a late Act of Congress, & your Authority founded thereon, to capture French armed Vessels, whenever found. —

Wishing you success & honor, I have the honor to be &c. &c.

[NDA. OSW, Vol. 1.]

To Captain Samuel Nicholson, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Department 12 July. 1798

Cap<sup>t</sup> SAM<sup>l</sup> NICHOLSON

SIR, Presuming that the Frigate *Constitution* under your Command, will be ready for a Cruise, by the Time this gets to your hands, I have enclosed your Instructions founded upon the late Acts of Congress, and by which you are to be governed. — You will observe, that you are permitted to capture, French armed Vessels, wherever found on the high Seas, as well as within our Jurisdictional Limits. —

There will be Employment found for our other Vessels of War, and you will be relied on solely for the Protection of the Eastern Coast, at least for the Present — With so fine a Ship — a good Crew & a Commander of your Activity & Bravery, It will want no other Protection. —

Your Object must be to secure from the Depredations of the French Cruisers, the principal Ports of New Hampshire, Mass<sup>ts</sup> & Rhode Island, & to pay some Attention to that of New York — This can be best done, by considering your cruising Ground, & so you will consider It until further Orders, to extend from about 10 or 15 Leagues, Eastward of the East End of George's Bank, to the West End of Long-Island. — and I am directed by the President to express to you his entire Confidence, that you will do every Thing that can be expected from a brave intelligent and active Officer, to afford to this Extent of Coast the most effectual Protection. —

The Cruising Ground of Cap<sup>t</sup> Dale in the *Ganges* extends from Cape Henry to Long Island. —

It will be desirable, that there should be frequent Opportunities of communicating with you, & to afford this, you will in every 10

or 12 Days, endeavour to appear off New Port, Rhode Island, & at such a distance as to be seen from the Town, with the Swedish Flagg hoisted on your Main Topmast Head — when any Thing occurs, to be communicated to you, it will be done from New Port, by means of a Pilot Boat. —

You will consider, that We are at War, with the Public & Private armed Ships of the French Republic, only, — To the Vessels, Citizens, & Subjects of other Nations, you will conduct Yourself as the Citizen of a Nation, desirous of maintaining Harmony with all the World & wishing to be distinguished by a scrupulous Adherence to all the duties of Hospitality.

Any Prizes you may take, you will send into the nearest Port of the U:S: to be proceeded against according to Law: The Persons, found on board of them, must be reported to the Collector of the Port, at which they first arrive — and be delivered over to the Marshall, or some other civil or military Officer of the United States — Prizes of Force inferior to your own will be divided between the Captors and the United States — those of equal or superior Force, go entirely to the Captor. —

There is one Point which I wish strongly to impress on your Mind, that should you even see an American Vessel captured by the armed Ship of any Nation at War, with whom WE are at Peace, you cannot lawfully interfere to prevent such Capture — It must be presumed until the Contrary be proved, that the Courts of that Nation will render Justice; nor must you recapture any American Vessel taken by any such Nation — The Law of Nations, forbids It, & WE must respect that Law. —

To the Dishonor &c. &c. See Page 92. —

For Instructions see Page 98.

[NOTE.—Page 92 contains a letter to Captain John Barry dated 11 July 1798, giving instructions regarding cruise to West Indies. Page 98 contains instructions to commanders of armed vessels, at Philadelphia, 10 July 1798, included in this volume.]

[NDA. OSW, Vol. 1.]

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To Stephen Higginson, Navy Agent, Boston, from Secretary of Navy

[PHILADELPHIA,]

Navy Department July 12<sup>th</sup> 1798

STEPHEN HIGGINSON Esq<sup>r</sup> Boston.

SIR I have this day sent on orders to Captain Nicholson, & Cap<sup>t</sup> Sever, to proceed to Sea —

The Cutter at Newbury is to be under my direction when equipp'd for sea — I enclose orders for the Captain, which I presume the Secretary of the Treasury has ordered him to obey — I can say to you in confidence, that Barry, in the Frigate *United States* 48 Guns, that Decatur in the *Delaware*, a strong ship of 22 Guns, have orders to proceed immediately from the Capes of Delaware and to fall in with Cap<sup>t</sup> Sever, and the Cutter, at Cape Cod — Or not finding them there, to Nantasket Roads, from whence the four vessels, are to proceed under the command of Barry to the West Indies, to fall in with the Islands 3 or 4 degrees to the Windward of Barbadoes, and thence keeping to the Windward of Martinico, Antigua & c<sup>a</sup> to Porto Rico, from whence after a short cruise, and attempting to get our Seamen

from that Island, where it is said, there are a great many, they are to return — Captain Nicholson meantime, is to protect the Eastern Coast — his cruising ground from about fifteen leagues East, of the East end of George's Island, to the West of Long Island —

I wish you would give me your candid opinion of this Arrangement, and add such Observations as shall direct me better in future — It was unfortunate, that in conferring the Appointment of Secretary of the Navy upon me, the President, cou'd not also confer the knowledge necessary for the Secretary of the Navy to possess, to make him most useful to his Country — No person could have a greater desire to acquire this knowledge, or could be more grateful to those enlightened men who will assist him in obtaining it than myself — I fear many things have been neglected from this quarter respecting Cap<sup>t</sup> Sever — I have been obliged to Act — & under great disadvantages — without having a moment to think, — I shall soon have time to make better arrangements — Meantime I have no doubt you will cause all difficulties to be removed and suffer nothing to prevent Cap<sup>t</sup> Sever's sailing with the Cutter to join Barry, The Cutter I hear to day, for the first time, has not her Guns, but that they were expected, & I hope they will be rec<sup>d</sup> in time — If not the other Ships must sail without her — She ought to have at least three m<sup>o</sup> provisions — four m<sup>o</sup> for both the Cutter & the *Herald*, wou'd do better —

[NDA. GLB, Vol. 1.]

To The Governor of Porto Rico from Secretary Timothy Pickering

DEPARTMENT OF STATE  
*Philadelphia July 12<sup>th</sup> 1798.*

THE GOVERNOR OF PORTO RICO.

SIR, Doctor Thomas Henry Jun<sup>r</sup> Surgeon of the American Ship *New-Jersey*, will have the honor to present to your Excellency this letter. Doctor Henry is charged with some business by the original owners of that Ship, in consequence of her being captured by a French cruiser and carried into Porto-Rico. I have to request your Excellency that Doctor Henry may be hospitably received in the Island, and enjoy your protection while he remains there. Such hospitality and protection the officers of the United States will ever be ready to reciprocate in their ports towards the subjects of His Catholic Majesty. I have the honor &c.

TIMOTHY PICKERING

[SDA. Dip. Cor. Inst. to Min., Vol. 4, 1797–1798.]

To Captain John Barry, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]  
*Navy Departm<sup>t</sup> 12. July. 1798 —*

JOHN BARRY

SIR, It is possible, tho' I hope not probable, that the Revenue Cutter (*Pickering*) Cap<sup>t</sup> Chapman may not be ready to join you; in this case, & you will receive the information from M<sup>r</sup> Higginson, Boston, — you will proceed on your Expedition without her. —

Enclosed is a letter from M<sup>r</sup> Nicklin, which I forgot to send you by Cap<sup>t</sup> Decatur.

[NDA. OSW, Vol. 1.]

To Stephen Higginson, Navy Agent, Boston, from Secretary of Navy

[PHILADELPHIA,]

Navy Department. 12 July [1798]

STEPHEN HIGGINSON

SIR, If the Revenue Cutter, cannot be ready to sail with Barry, he must go without her. I have desired him to take his Information on this subject from you. —

[NDA. GLB, Vol. 1]

[12 July, 1798]

Extract of a letter from a gentleman in New York, 2 Sept., 1798, regarding capture by French Privateer *Flower of the Sea*, Captain Dupayn, of ship which ultimately was recaptured, by H. M. S. *Aquilon*

"Since writing my last, informing you that I was going to New-Orleans shortly — On the 27th of June I set sail at ten o'clock, wind N. N. W. — could not stand our course. On the 12th of July, was so unfortunate as to be captured by the French privateer *Flower of the Sea*, Captain Dupayn, in lat. 31, 52, who informed us that he had taken three days before, two ships belonging to Baltimore, and one belonging to New-York — would not tell their names. As soon as he fired to bring us to, we drew up our foresail and bore down upon him: because we did not please the rascal, he fired a musket ball in out boom, when all the passengers were on deck. We remained in his possession fifteen days, and were intended for St. Domingo, but luckily the prize master knew very little of navigation, and our captain instructed wrong; in consequence, we had nearly been shipwrecked, for we ran a very great risque. In making the land it was very dark, and we were within half a mile of it before we discovered it; instead of St. Domingo it happened to be near Port a Plate. When they found their mistake they stood for Fort Dauphin, being within four hours sail of it — we met with his Majesty's ship *Aquilon*, who captured and sent us into St. Nicholas Mole. In passing Cape Francois, I saw Barney's squadron, afraid to come out, there being three English 74's and several other ships off there. As soon as the Frenchmen saw the frigate they cut away our boat, and they all got in her excepting the prize master and one hand; they took away with them a number of articles — but as soon as the frigate saw them she gave chase and caught them, we then bore down to her, and they were all made prisoners. — For recapture the English claim one half, and the court expences to be paid out of the other half, belonging to the underwriters — There are a great number of Baltimore vessels there, waiting for trial."

[LC, "Claypoole's American Daily Advertiser" (Phila.), 11 Sept. 1798.]

To Acting Lieutenant William Davis from Captain Thomas Truxtun, U. S. Navy,

UNITED STATES SHIP *Constellation*

12<sup>th</sup> July 1798.

SIR I have thought proper to Appoint you an Acting Lieutenant at Arms, on board this Ship; you will by your Zeal, activity and attention, discharge the duties of that Office, as becomes, a vigilant Officer.

The General duty expected from you, will be the Exercise of the Cannon &c. The co-operating with the Gunner, and seeing that the

Arms and accoutrements, powder & Shot, and every Article appertaining to or belonging to the Cannon or Small Arms, and in fact all and every of the Military Stores and Apparatus be kept at hand, in good order, and fit for Service at a moments warning and to report to me what is otherwise or wanting of Repair.

Your Appointment to this Office, is not to take off from any Officer of the Ship, the duties enjoind him to perform by the Articles of War, the Orders of the President, or my Private orders, it is done to accelerate the business without any relaxation on the part of any Officer.

I am Sir Your Ob<sup>t</sup> Serv<sup>t</sup>

THOMAS TRUXTUN.

Lieu<sup>t</sup> W<sup>m</sup> Davis.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
12 July 1798, Thursday

Throughout the whole of this Day, the Weather has been pleasant, and the Water smooth, the Wind blowing generally from the Southward, tho' at Times, it was variable. A number of Coasters beating along Shore in Company with us. Stretched in to 12 Fathoms Water, and off to 20 Fathoms, the Bottom a Grey Sand. At Noon the Breakers of the Frying Pan, were seen from the Mast Head, bearing about North North West, five Leagues Distance, find a North East Current these Twenty four Hours within the Stream, a little uncommon. Depth of Water 14½ Fathoms, Breakers bearing as before mentioned

Latitude observed 33°.26' North

Longitude Account 78.10 West

[HS of Pa. NDA photostat.]

Extract from the journal of Lieutenant John Mulowny U. S. Frigate *United States*,  
Thursday, 12 July 1798

Bay of Delaware. Winds N. N. W. Fine moderate and clear weather, at 10 A. M. all hands to Quarters, exercised the crew at their proper stations, at 11 A. M. fired Twenty-seven shot at a wreck (ship *John*), at 3 P. M. anchored below the Cross Ledge, in the Bay, six fathoms.

[NA.]

[July 12, 1798]

## Report of the state of the cruisers now fitting out by the Government of the United States for His Excellency the Dey of Algiers

Brig HASSAN BASHAW	Hull	Hold	Boats, &c	Masts & Spars	Rigging	Sails	Artillery	Provi- sions	When ready for Sea	Men wanted for im- mediate Service	Full Compt
	Compleat ready for taking on board Stores & Cargo	Wanted 50 Tons of Shot or other heavy articles for Ballast	Compleat, Ship chandlers coopers Block Makers Stores &c ready to take on board	Compleat & in their places	Standing compt running ready for receiving —	Compleat	13 pieces mounted 9 do. not proved	Ready to take on board	In twenty Days	Twenty	52 —
Schooner SKJOLDEBRAND	do. do. do....	40 Tons. do..	do. do. do....	do. do. do....	do. do. do....	do.....	Compleat.	do.....	Fifteen days	Fifteen	40
Schooner LELLA AISHA	do. do. do....	30 Tons. do..	do. do. do....	do. do. do....	do. do. do....	do.....	do.....	do.....	Ten days	Twelve	35 —

PHILADELPHIA July 12<sup>th</sup> 1798  
JAMES LEAF CATHCART

[SDA, Tripoli. Vol. 1, 1796-1799.]

To the Governor of New Jersey from Secretary Pickering

[PHILADELPHIA,]  
Department of State July 13<sup>th</sup> 1798.

His Excellency GOVERNOR HOWELL,

D<sup>r</sup> SIR, You have noticed the capture of a French privateer by the American armed Ship *Delaware*. The persons found on board the privateer, who by law are to be detained as prisoners, amount to Fifty three. They are at present at Mud-Island, guarded by the troops at Fort Mifflin: but they must in a few days be removed. The prison of Philadelphia being entirely occupied, some other place of confinement must be procured. The new and spacious prison lately erected at Lamberton, by the State of New-Jersey, presents itself as the most safe and suitable, as well as the most easy of access. Shall I beg of you the information, whether it is now or soon will be in a state to receive such prisoners, and whether they can be admitted? I shall be obliged by an early answer. I am with great respect

TIMOTHY PICKERING

P. S. The President highly approves of the plan here suggested and will be gratified if it succeeds.

[SDA. Dom. L., Vol. 11.]

To Garrett Hulsecamp, Pilot, from Secretary of Navy

[PHILADELPHIA,]  
Navy Department July 13. 1798

GARRETT HULSECAMP Pilot

You will receive herewith a Letter, directed for Cap<sup>t</sup> Richard Dale, of the Ship *Ganges*, with which you will proceed immediately in your Pilot Boat to the Capes of Delaware, sailing off, & on, until you meet with that Ship, when you will deliver the said Letter, & receive from Cap<sup>t</sup> Dale, any dispatches he may give you, for this Department.

[NDA. GLB, Vol. 1.]

To Stephen Higginson, Navy Agent, Boston, from Secretary of Navy

[PHILADELPHIA,]  
Navy Department 13<sup>th</sup> July 1798

STEPHEN HIGGINSON Esq<sup>r</sup> Boston

SIR, The enclos'd Letter to Cap<sup>t</sup> Barry contains a Letter from the Secretary of State, to the Governor of Port To Rico — be pleas'd to give it a conveyance.

[NDA. GLB, Vol. 1.]

Extract from the journal of Lieutenant John Mullowny, U. S. Frigate *United States*,  
Friday, 13 July 1798

Bay of Delaware. Winds N. by W. Pleasant breezes and clear weather, at 8 A. M. hove short, at 10 weighed anchor, and stood down the Bay, at 11 observed the *Delaware* Cap<sup>t</sup> Decatur astern, hove to,

till she came up, Cap<sup>t</sup> Decatur came on board. when he left the ship made sail, at M Cape Henlopen bore W. N. W. dist 3 leagues.

[NA.]

To Captain Richard Dale, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy departm<sup>t</sup> 13. July. 1798.*

Cap<sup>t</sup> RICH<sup>d</sup> DALE

SIR, Enclosed you will receive an Act of Congress, which passed the 9 Ins<sup>t</sup> and new Instructions, founded upon that Act, authorizing you to capture French armed Vessels wherever found. You may therefore allow Yourself a wider Range, & keep further from the shores — The French Cruisers have too good Information of your Cruising Ground to come within your reach. You will try whether you can not fall in with them, two or three degrees further from the Coast — indeed, if you have sufficient Confidence in your Crew, and your Ship, which I wish was better prepared, you may have a better Chance of falling in with the French Cruisers, coming on the Coast, & going off with their Prizes, by standing as far to the Southward as Latitude 34 — and as far Eastward as Longitude 65 — which will be about one degree Westward of Bermudas & in the Track of the Enemy Vessels. —

The Cutter of New York, of 14 Guns, will be prepared for Sea by the 20<sup>th</sup> Ins<sup>t</sup> — The Cap<sup>t</sup> will be ordered to join you, & I hope will be ready to do It on that day. You will judge whether it will be most prudent to wait until you are joined by this Vessel, before you venture so far as I have suggested, & will act accordingly. —

Cap<sup>t</sup> Decatur in a better appointed Ship than your's has been more fortunate, than you have yet been — but let not that Circumstance make you uneasy — Your services have been highly advantageous in protecting the Merchant's Vessels — & in keeping in a great degree, the Cruisers from our Coasts — and the Confidence of the President, and your Country, in your Vigilance, Enterprize & Bravery is undiminished — The Coast from Cape Henry to Long Island, is still to be the Object of your Protection — It is not unlikely you may in stretching further South, fall in with Cap<sup>t</sup> Truxtun.

Congress it is expected will adjourn in two or three days without a positive declaration of War; yet, We shall not on that Account be the less at War, with the armed Vessels of France. But it is the Policy of this Country, & Justice requires, that We should not forget, that We are at Peace, with all the rest of the World — You will, therefore, treat the Vessels, Citizens & Subjects of all other Nations, as you would wish to be treated by them — American Commanders will not suffer Themselves to be outdone in Zeal & Bravery in the service of their Country, nor should they in their Attention to the duties of Hospitality & humanity, if you should even fall in with an American Vessel captured by an armed Vessel of any Nation but the French, you must not retake her. The Law of Nations forbids It, & We must respect that Law — It must be presumed that their Courts will render Justice. —

It is hardly necessary in writing to a brave Man, who loves his Country, to suggest the Propriety of inculcating upon the minds of



those under his Command, the same respect which he himself feels for our Government — Chief Magistrate — & our Laws — It has been too much the Fashion with too many of our Civil Officers both at home and abroad, to indulge Themselves in the Licentiousness of villifying the Government — those Institutions & those Virtuous Characters, which it has been the honor and the happiness of our Country, to have produced — I hope this disgraceful Licentiousness, will never be tolerated in our Navy — How can We expect to command respect to our Government from other Nations, if We ourselves do not set the Example. It is time We should establish a National Character. Let that Character be a Love of Country & Jealousy of it's honor & in Seamen also veneration for our Flag — This Idea comprises every thing that ought to be impressed & no more than ought to be impressed upon the Minds of all our Citizens; but more especially Those who are also Seamen & Citizens. —

You will still call at the Capes of Delaware, every 10 or 12 days to receive any Communications necessary to send you. —

For Instructions See Page 98.

[NOTE.—Page 98 contains instructions to commanders of armed vessels, at Philadelphia, 10 July 1798, included in this volume.]

[NDA. OSW, Vol. 1.]

To Captain Samuel Nicholson, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy Departm<sup>t</sup> 13 July. 1798.*

SAM<sup>l</sup> NICHOLSON

SIR, I have to acknowledge the Receipt of your letter of the 8<sup>th</sup> Instant — In my last of 6<sup>th</sup> the existing Regulations for the Navy were enclosed, and upon Enquiry I find that Commissions for such of the Officers as are appointed, have been transmitted; and where Appointments are not made it is proposed, that in such Case the Officers were not to act under your Authority 'till Appointments take Place. I hope Lieut<sup>t</sup> Cordis has recovered and proceeded successfully in the Business of recruiting — and that upon Inspection you'll find the Powder of better Quality than you apprehend.

By the Time this Letter reaches you, I hope you will be ready to pursue the destination given in my late Instructions — The Letter from M<sup>r</sup> P. Jarvis which you enclose, is very satisfactory. —

[NDA. OSW, Vol. 1.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
13 July 1798, Friday

Light Southerly, and Westerly Breezes, intermixed with Calms, and some squally Appearances, accompanied with Lightning, and Thunder, stood off and on, having from 13 to 18 Fathoms Water, white Sand, with black Specks, and Shells. Several Coasters in Company, beating to the Southward, People employed at Sundries, and setting up the Rigging. Find no Current.

Latitude observed 33° 14' N°

Longitude Account 78.17 W

[HS of Pa. NDA photostat.]

[14 July 1798.]

From Secretary of State

TIMOTHY PICKERING,

*Secretary of State of the United States of America,  
To all whom it may concern.*

The President of the United States having given permission to the brigantine called the *Liberty*, owned by Stephen Girard of the city of Philadelphia merchant, to clear out and depart with French passengers and their effects for Bourdeaux; all armed vessels, public and private belonging to the United States, are desired not only to let the said brigantine pass unmolested on her voyage, but to afford her any assistance that circumstances may require and admit. And the armed vessels of other friendly powers are in like manner requested to suffer the said brigantine to proceed on her voyage, without molestation.

Given under my hand and the Seal of my office, at Philadelphia, the fourteenth day of July 1798.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 11.]

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To George Latimer, Collector, Philadelphia, from Secretary Pickering

DEPARTMENT OF STATE *July 14<sup>th</sup> 1798.*GEORGE LATIMER ESQ<sup>t</sup>*Collector of the Customs Philadelphia*

SIR, I have just delivered to David Summis of this City the President's permission for you to clear out his Schooner called the *Harriet* and another to Messrs. Smith & Ridgway on behalf of Edward Burrows to clear out the Sloop *Lark*, both vessels being destined to carry French passengers to Cape Francois. Under the terms "goods and effects" of French persons, if great care be not taken a traffic will still be carried on with the French ports, and the object of the law referred to be frustrated. If an American vessel is fairly designed to deport French persons according to the act, as many passengers will ordinarily be engaged as she can conveniently carry: and this circumstance may be considered as a good criterion of the real object of the voyage. On the other hand, if few passengers embark, with many "goods and effects," they may justly be suspected of collusion.

I have taken the liberty to suggest these remarks as they occurred, in a measure which in this country is novel and from the singularity of our political situation, perhaps unexampled. I am very respectfully, Sir, &c.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 11.]

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To Captain Thomas Truxtun, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy Departm<sup>t</sup>, July 14. 1798*Cap<sup>t</sup> TRUXTUN

SIR, I flatter Myself you have received my last Letter, which was sent under cover to M<sup>t</sup> Pennock at Norfolk, and dispatched by a Pilot Boat from that Port. You will find enclosed an Act of Congress of 9 Ins<sup>t</sup> with Instructions founded, thereon, which will admit

of greater Latitude for your Operation, & probably lead to more certain Success — You are therefore authorized to extend your Limits by stretching further out to Sea occasionally so as to take a greater Range, in doing which I am confident your Prudence and Discretion may confidently be relied on, and you will please to bear in mind the former Limits as to distance Coastwise: before closing this Letter I can not avoid mentioning that many of our Civil Officers both at home & abroad, have been too frequently in the habit of indulging Themselves in the Licentiousness of villifying the Government, those Institutions and those virtuous Characters which it has been the Honor and Happiness of our Country to have produced — I hope this disgraceful Licentiousness will never be tolerated in our Navy, for We can not expect to command Respect to our Government from other Nations, if we ourselves do not set the Example — It is time We should establish a National Character — Let that Character be a love of Country & Jealousy of it's honor, and in Seamen also veneration for our Flag — You will I doubt not impress these Sentiments strongly on the Minds of your Officers and Crew — because a Man of your acknowledged Bravery & Understanding must feel, & can not fail to have his own Mind impressed with their Propriety. —

Congress it is expected will adjourn in two days without a positive declaration of War, yet We shall not on that Account be the less at War with the armed Vessels of France — But [it] is the Policy of this Country and Justice requires, that We should not forget that We are at Peace with the rest of the World — You will therefore treat the Vessels Citizens and Subjects of all other Nations, as you would wish to be treated by them.

In order to facilitate any Communication, I think it proper that you should appear off the Light House once in every Ten or Fifteen days, with a Swedish Flag hoisted at the Main top Mast Head, of which arrangements will be taken to give Information at Norfolk, where dispatches for you will be occasionally lodged & forwarded to you. —

I had nearly omitted to observe that should you meet with any American Vessel that has been captured by the Cruisers of any other Nation but the French, you must not interfere or attempt to recapture, because we must presume that the Courts of such Nation will do Justice in Cases of Captures improperly made. —

For Instructions — see Page 98 —

[NOTE.—Page 98 contains instructions to commanders of armed vessels, at Philadelphia, 10 July 1798, included in this volume.]

[NDA. OSW, Vol. 1.]

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To William Pennock, Navy Agent, Norfolk, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 14. July. 1798

W<sup>m</sup> PENNOCK

Sir, The Vessel building or built at Gosport, by N. Harbut, is described by Cap<sup>t</sup> M<sup>r</sup>Neill, & Cap<sup>t</sup> Williams as a Vessel so proper for the public service, that I have to request you will purchase her, & fit

her out as quickly as possible, for Cap<sup>t</sup> Williams, who will assist in superintending the Alterations necessary to be made, which he represents as not considerable, & thinks the Vessel can be bought for 20 D<sup>r</sup> if not less per Ton. —

Presuming that you can procure on proper Terms, Sails, Rigging and every Article necessary to equip the Vessel for Sea & War, except a Cambouse Guns, Shot, Powder & indeed all military Stores & Copper, I shall immediately make Arrangements for furnishing these Articles, leaving every Thing else to be obtained by you. — I wish it was possible for you to obtain Copper, but I fear it is not — The price here for the Patent kind is 50 Cents p. ' lb. — If you can get the proper kind at once; do it — What I send, will be wanted for another Vessel. —

The Carpenter, from whom you will purchase, must deliver the Vessel afloat & must in the 20 D<sup>r</sup> per Ton, furnish Masts & Spars — You can probably agree with him for putting on the Copper. I understand this Vessel may be at Sea in Six Weeks — Shew, that you can prepare Vessels as well as quickly, & as frugally, as these things can be done at other Places — & Norfolk will have it's full share of this Kind of Business. —

Cap<sup>t</sup> Williams will suggest the Alterations necessary for the Vessel — I hope they will not be considerable or expensive — As he is to command her, he should be indulged in all reasonable Things — She must be made into a Brig — & pierced to carry 18 six Poundsers on one Deck. —

Expecting to hear quickly from you. I am &c.

It is likely I shall in a few days, write you on the subject of the Frigate — If the Merchants attempt a Vessel for the Public at Norfolk. I hope She will carry 24. 12 pounders on one Deck, if the Public furnish part of the money. —

[NDA. GLB, Vol. 1.]

To William Pennock, Navy Agent, Norfolk, from Secretary of Navy

[PHILADELPHIA,]

*Navy Departm<sup>t</sup> 14. July. 1798*

W<sup>m</sup> PENNOCK

SIR, I must request you will take the Trouble to forward the enclosed Letter to Cap<sup>t</sup> Truxtun, by a Pilot Boat.

It being proper, that a better mode of communicating with Cap<sup>t</sup> Truxtun should be adopted, I have desired him to appear off the light House at Cape Henry, every 10 or 15 days — & hoist on his Main-topmast Head. — the Swedish Flag, to be known. — You will attend to give the proper Instructions at the light House, & make the proper Arrangements, so that when he does appear, any Letter for him, may be immediately sent to him. —

[NDA. GLB, Vol. 1.]

To Secretary of the Navy from Joshua Humphreys, Naval Constructor

JULY 14, 1798

SIR I went on board the French ship of War now laying at Latimers wharf in this port in order to examine her, I find she was in the first Instance built for a Guineyman, but now converted into a Ship

of War carrying eighteen Cannon on One Deck, she is fitted with a light temporary waist amidships, her decks in a very bad State, upon the whole, I conceive her to be an old slight built ship, and in my opinion not suitable for a Ship of War for the U States, altho I am of opinion she will sail fast —

I am very Respect<sup>r</sup>

J. HUMPHREYS [signature not plain]

The Hon SECRETARY OF THE NAVY

[HS of Pa. NDA photostat.]

Extract from the journal of Lieutenant John Mullowny, U. S. Frigate *United States*,  
14 July 1798

At M. Cape Henlopen Light bore W by N dist 3 Leagues, at 1 P. M. took in 2 reefs in each Topsail.

At 3 P. M., out one reef, each Topsail The ship *Delaware* in C<sup>o</sup>

At M Tacked to the N<sup>o</sup>

Latt<sup>o</sup> Obs<sup>d</sup> 38.5 N.

[NA.]

[14 July 1798.]

To Isaac Garretson, Purser, from Captain Thomas Truxtun, U. S. Navy

Whereas the Purser of the United States Ship *Constellation* under my Command haveing this day represented to me that the Potatoes furnished agreeable to an Act of Congress and put on board of the Said Ship, is rotten and unfit for men to eat, and has requested a Survey thereon —

I do hereby in conformity with Said request direct any one of the Sea Lieutenants, with the Master, Boatswain, & Carpenter to Survey the Said potatoes, and Issue Certificate as Shall be just & honorable; and in case the Said Potatoes are in the State represented; I do hereby direct that they be immediately thrown overboard & into the Sea, but in case they Shou'd be found otherwise, that then and in that case they are to be served out agreeable to Law.

Given from under my hand on board the *Constellation* the 14<sup>th</sup> July 1798. —

THOMAS TRUXTUN.

To M<sup>r</sup> ISAAC GARRETSON

*Purser of the U. S. Ship Constellation.* —

We the Subscribers do Certify that the above Potatoes contain'd in Twenty & ¼ Bbl<sup>s</sup> are rotten and Unfit for men to eat, and that the Same was thrown into the Sea Conformable to the above order.

Signed —

JN<sup>o</sup> RODGERS, Lieu<sup>t</sup>

AMBROSE SHIRLEY, Master

JA<sup>o</sup> YEOMANS, Carp<sup>t</sup>

THO<sup>o</sup> GREEN, Boats<sup>m</sup>

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

To Secretary of Treasury from Secretary of Navy

[PHILADELPHIA,]

Navy Department, 14. July, 1798.

SECY OF TREASURY

SIR Cap<sup>t</sup> Price of the Revenue Cutter of ten Guns of this Place, informs Me that He is ready for Sea in all respects but the Want of Men. — He has 30 Men and 5 Boys. —

If you will be pleased to direct the proper Number of Men to be obtained; and will then turn her over to Me. I will endeavor to employ him usefully.

[NDA. Req. on US T, 1798–1803.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
14 July 1798, Saturday

Light Airs of Wind Southerly the first of this Sea Day; the Middle moderate and Northerly, and the latter, light, Easterly, with smooth Water, several Coasters in Company standing to the Westward.

People employed washing and cleaning the Ship; condemned a Number of Potatoes, that proved unfit for Men to eat, and hove the same into the Sea.

Cape Roman at Noon bore N. N. W.  $\frac{1}{2}$  West, 8 Leagues Distance, Depth of Water Thirteen Fathoms, fine grey Sand, Charleston Light House at same Time W. B. S. 19 Leagues.

Latitude observed  $32^{\circ}49' N^{\circ}$

Longitude Account  $79.42 W.$

[HS of Pa. NDA photostat.]

To Secretary of the Navy from Stephen Higginson, Navy Agent, Boston

BOSTON July 15. 1798

D<sup>r</sup> SIR Cap<sup>t</sup> Sever this moment mentions that you had intimated to him that you could no where find the force of the *Herald* stated. This I wonder at as I had mentioned in more than one Letter that she was to carry 16 six pounders, & six four pounders on quarter Deck & fore Castle; & Cap<sup>t</sup> Sever has arranged to take 54 able Seamen, 26 ordinary, Sergeant Corporal two Musicians & 14 Marines, which with the commissioned & warrant Officers will make 128 in all. I seize the moment of the post going off to state this to you —

& remain respectfully your hum S<sup>t</sup>

STEPHEN HIGGINSON

[NDA. Area 7, July 15, 1798.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
15 July 1798, Sunday

Light Winds Easterly all these Twenty four Hours, and sultry squally Weather. At 5 P M made Bulls Island from the Mast head bearing North West, Eight Leagues Distance. Gave chase to a Brig in the South South West, and fired several Shot to bring her

to, but it coming on dark, and threatening to blow a Gale from the Eastward on Shore, add to our being in ten Fathoms Water, induced me to hawl the Wind to the South South East, particularly as the Brig was deep loaded, and standing in for the Bar of Charleston.

At Noon the Depth of Water was Twenty five Fathoms, Coarse Sand with black Specks, when Charleston Bar bore North West, Thirteen Leagues Distance.

Latitude was observed 32°.12' N°

Longitude Account 80.06 W.

[HS of Pa. NDA photostat.]

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Extract from the journal of Lieutenant James Mulowny, U. S. Frigate *United States*,  
15 July 1798

Light wind, weather clear —

At 3 P. M. shorten'd sail for the ship *Delaware*

Set up Fore & Top mast rigging

At 5 A. M. set jib and Royals a sail in sight bearing N. E. at 6 A. M. set Main sail

Latt<sup>de</sup> 38.34 N°

[NA.]

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[16 July 1798.]

An act to make a further appropriation for the additional naval armament

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of six hundred thousand dollars shall be, and hereby is appropriated, to enable the President of the United States to cause to be built, and equipped, three ships or vessels, to be of a force not less than thirty-two guns each, and of the dimensions and model which he shall deem most advantageous for the public service, as part of the additional naval armament authorized by law.

SEC. 2. *And be it further enacted*, That the timber and other materials belonging to the United States proper for building and equipping the ships or vessels aforesaid, remaining in their several dock-yards, and elsewhere, may be employed under the direction of the President of the United States, in effecting the purposes of this act; or may be otherwise disposed of, as he shall think best. And the sum hereby appropriated, shall be paid out of any unappropriated money in the treasury.

*Approved, July 16, 1798.*

[Statute II, page 608.]

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To Honorable James McHenry, Secretary of War, from Captain Thomas Truxtun,  
U. S. Navy

UNITED STATES SHIP, *Constellation*,  
at Sea off Charleston Bar, July 16<sup>th</sup> 1798.

SIR, I have the Honor of transmitting to you by Post from Charleston, South Carolina, a Muster Roll, and Register, of the Officers, Seamen, and Others, composing the Crew of the Frigate, I command.

The Wages per Month, Money advanced, Time of Entry, and every Matter, and Thing, relating to that Business, that I considered necessary, to put on Record in the War Office, (or Marine Office, if such there be) is here mentioned, and stands correct.

The Returns made to you by the various Recruiting Officers, must from the Documents exhibited to me, have been very erroneous, owing to the Nature of the Business on the one Hand, and the Haste, in which it was done on the other, added to their Inexperience in such Employment.

I left the Capes of Chesapeake Bay on the 26<sup>th</sup> Ultimo (as before advised) with the Convoy, and parted with them, upwards of Twenty Leagues from Cape Henry, in an eastern Direction. The Wind soon after coming unfavourable to pass along the Southern Coast, near it's Shores, I stretched just without the Gulph Stream, as far as the Latitude of Bermudas, and then back again to the Northward, untill I crossed within the Stream, and made Cape Hatteras: Since which I have been cruizing along the Coast of North, and South Carolina, standing in to seven Fathoms Water, and off to Forty, without having been fortunate enough to meet any of the Enemy; I am therefore induced to believe, they keep off the Coast a considerable Distance. The Number of Coasters I have accompanied, along the Shores of the Carolinas, and the Merchantmen I have spoken, my Journal will show; having received no Intelligence of any Moment, it would be a Waste of Time to enumerate them here: I Shall pay Attention to the Coast of Georgia, and as far as our Southern Limits, and advise you, when Opportunities offer, of whatever may occur of any Sort of Consequence.

I have a clean, healthy Ship, and have no Doubt, but in Case of Need, my Men will freely do their Duty. I have endeavoured to attach them to the naval Service, by mild Treatment, and rigid Justice.

The Ship behaves well in all Sorts of Weather, and sails fast, but from being caulked in the Winter, her upper Works are open.

I have the Honor to be, Sir, with great Respect and Esteem —

Your very Obedient, humble Servant —

THOMAS TRUXTUN.

HON<sup>ble</sup> JAMES M<sup>rs</sup> HENRY

*Secretary of War*

N B. The papers that Accompany the above letter & Register of Seamen are Lieutenants recruiting Instructions and their Accounts Relating to that business. —

T. T.

[HS of Pa. NDA photostat. Truxtun's LB, 1798–9.]

To Chief Clerk Caldwell, War Deparment, from Secretary of State Pickering

[PHILADELPHIA,]

*Department of State July 16<sup>th</sup> 1798.*

M<sup>r</sup> JOHN CALDWELL

*Chief Clerk in the Department of War*

SIR, There being an immediate call for cannon shot to be laden on board the armed vessels destined for Algiers, I have to request that



an order may be made out to be signed by me in behalf of the Secretary of War, for the following, viz,

9 pound round shot.....	1804.
18 ..d° ..d°.....	635
6 pound bar Shot.....	663
9 pound ..d°.....	306
12 ..d° ..d°.....	854
18 ..d° ..d°.....	538

Which I will cause to be replaced or paid for out of the funds for the affairs of Barbary. I am, Sir, &c.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 11.]

To Joshua Sands, Collector, New York, from Secretary Pickering

DEPARTMENT OF STATE July 16<sup>th</sup> 1798.

JOSHUA SANDS Esq.

*Collector of the Customs, New York*

SIR, On the 14<sup>th</sup> I received from M. Rozier late vice-Consul of the French Republic at New-York, a letter mentioning "a difficulty that had arisen at the Custom House there from the law prohibiting all *commercial* intercourse with France and its dependencies." It was a question, whether this prohibition "should extend to the part of S<sup>t</sup> Domingo ceded to France by her treaty of peace with Spain, but of which the possession is yet in the hands of the Spanish Government?" And if the answer to this question were in the affirmative, he requested the permission to clear out a flag of truce (ún parlementairé) for the port of santo Domingo, with French passengers. Such a permission I now inclose to you. The blanks for the owners name, and the first name of the master you will fill up; and be pleased to transmit those names to me, that the copy of the permit may also be rendered compleat. This was the Shortest way of answering M. Rozier. But the question he has stated is important. I shall confer with the Treasury department on the subject. It appears indispensably necessary to stop the commercial intercourse with the Spanish as well as with the French part of St Domingo, or the latter will not answer the views of Congress in the general prohibition. It will also I believe be literally correct. Fortunately in reading this morning a French newspaper ("Bulletin Officielle de Saint-Domingue") printed at Cape Francois the 17<sup>th</sup> of June last, I met with an arret of Hedouville, particular agent of the Executive Directory, to abolish the duty or tax imposed on the beasts drawn from the part *heretofore* Spanish, on their entry into the French part of S<sup>t</sup> Domingo: — "droit sur les animaux tirés de la partie *ci-devant* Espagnole, á leur entrée dans la partie Française de l'isle de Saint-Domingue." This expression of the agent seems to me sufficient to settle the question. I have the honor, &c

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 11.]

To William Bartlett, Newbury Port, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 16<sup>th</sup> July 1798*

W<sup>m</sup> BARTLETT Esq<sup>r</sup>

*Newbury Port*

SIR I am honored with the receipt of your favor of the 9<sup>th</sup> Instant, with its enclosures, and am happy to perceive the celerity contemplated in the Equipment of the Ship, undertaken to be built at your Port — The very honorable Testimony you are pleas'd to give in favour of the character & abilities of Cap<sup>t</sup> Moses Brown, naturally induces an acquiescence with the wishes of the Committee in this respect, and that Gent<sup>l</sup> will of course be mentioned to the President with a view to his being commissioned for the purpose — You will please to inform me, how soon the Copper will be wanted, in order that it may be got in readiness, as I observe you intend to prepare for a copper Bottom; no doubt you will direct that the Bolts be of that Metal —

The President wishes the Inhabitants of Newbury Port to be convinced of the high Sense he entertains of their Patriotic exertions on this Occasion — Altho' from their long established character for Patriotism, less could not be expected —

[NDA. GLB, Vol. 1.]

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To Jacob Sheafe, Navy Agent, Portsmouth, N. H., from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 16<sup>th</sup> July 1798*

JACOB SHEAFE Esq<sup>r</sup>

*Portsmouth (N. H.)*

SIR, Congress have just passed an Act, appropriating money for finishing the Frigate at Portsmouth, as well as the two others at New York & Norfolk — My own opinion is, that while the practice continues, of building our Ships at a number of places, the public Interest will be best promoted, by putting the entire direction into the hands of intelligent Merchants of great respectability of character; — under this impression, and wishing that the whole power, and of course the whole responsibility, respecting the Frigate begun at Portsmouth, should be with you, I have the honor to request, that you will without delay take such measures as you shall judge best to compleat this vessel, with the greatest dispatch and the greatest Occonomy — attending no further to former arrangements than you think, for the public Interest — Knowing that Col<sup>l</sup> Hackett, the former constructor has contracted to build a Ship for the Public in a short time, I presume you will not be able to get him so soon as the Public exigencies may require, and may therefore be under the necessity of engaging a constructor of less established character —

The live-Oak & other Timber landed at Portsmouth, particularly the other Timber, I fear has been so much pillaged that but little remains — The White Oak Timber I presume can be easily replaced, not so the Live Oak — and it will be very unfortunate if much of it has been pillaged —

It will be necessary that you should as quickly as possible, have it ascertained, what live oak Timber will be wanted — What Boston can supply, and that you make immediate arrangements to procure the plank & White Oak Timber — There is some Live Oak Timber

here — perhaps at Portsmouth, Boston & this place there may be enough to supply all the Timber essential to be of the Live Oak — Good White Oak will do for the Floor Timbers; and also the lower Futtocks, if Live Oak cannot be got — The sooner you can inform me what live oak Timber you want, which Boston cannot supply, the sooner Measures can be taken to provide it from here or elsewhere —

I have written to M<sup>r</sup> Caleb Gibbs at Boston, who has the care of the Timber there, to furnish you with an account of what remains on hand — Money shall be remitted on your requisitions — You must take care to make them in time —

[NDA. GLB, Vol. 1.]

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Extract from the journal of Lieutenant John Muldowny, U. S. Frigate  
*United States*, 16 July 1798

Light winds, weather clear

Spoke the *Delaware*, spoke a schooner from New providence to Boston

Reefed Topsails, 2 Reefs in each  
up courses.

Three sail in sight, bore away for the Largest & found her to be the British 50 Gun Ship *Asistance* Cap<sup>t</sup> Hardy

Cloudy weather, Rain.

[Lat<sup>de</sup> p<sup>r</sup> Acc<sup>t</sup> 39.58]

[NA.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
16 July 1798, Monday

Light Airs, and variable the first and Middle; the latter a moderate Breeze from South South West, to West South West.

At 2 P M saw a Sail to the Northward, Gave Chace, and at 6 ditto spoke the Schooner *Peggy* from Martinica, bound to Charleston; this Vessel parted with a British Convoy bound Home from the Windward Islands in Latitude 23 North, and Longitude 65 W. since which has seen no Vessel of War of any Sort.

At 9 A M made the Southern Part of the Land, on which the Light House of Charleston stands, having at the same Time 10 & ¼ Fathoms Water, fine white Sand. Tacked and stood to the Southward.

Latitude observed 32°.20' N<sup>o</sup>

Longitude Account 80.30 W.

[HS of Pa. NDA photostat.]

[17 July 1798.]

Agreement between John T. Morgan and Thomas FitzSimons re timber for  
*Frigate Philadelphia*

The agreement made at Philadelphia on the 17<sup>th</sup> day of July one thousand seven hundred and Ninety eight between Thomas Fitz-Simons chairman of the Frigate Committee on the one part an John T. Morgan on the other part —

WITNESSETH that the said John T. Morgan for the consideration herein after mentioned doth agree to deliver to the order of the afore-said Committee at this port of Philadelphia on or before the 1<sup>st</sup> day of November next the Quantity of live Oak timber specified in the

list A annex'd hereto, and on or before the 1<sup>st</sup> day of December next at the port of New York the live Oak timber specified in the list B likewise annexed, which said timber shall be sound & good agreeable to the dimensions therein mentioned and as near to the shape according to the Moulds as such Timber is usually obtained, all which timber shall be so delivered at the proper cost and charge of the said John T. Morgan — In consideration whereof the said Thomas FitzSimons in behalf of the Committee doth agree to pay the said John T. Morgan or his Assigns the rate of Seventy five cents for every Cubic foot of timber so delivered agreeably to the measurements which shall be made at the time of delivery — AND it is further agreed between the said parties that in case any part of the timber shipped in pursuance of this agreement shall be lost in the transportation by danger of the Sea or by capture — that the said John T. Morgan shall be allowed the further term of three Months from the time herein before mentioned to replace such loss — AND for the due performance of this agreement the parties bind themselves that is to say Thomas FitzSimons doth bind the Frigate Committee and the said John T. Morgan doth bind himself his Heirs, Executors, Administrators and Assigns in the penal sum of Two thousand Dollars to be paid by the party defaulting to the party complying —

Signed

JOHN T. MORGAN.

THO<sup>s</sup> FITZSIMONS

C. F. C.

JULY 17<sup>th</sup> 1798

Copy—John T. Morgan Contract.

[Enclosure]

## List A to be delivered at Philadelphia

- 45 lower Futtocks 18 feet long sided to 11½ Inches
- 86 middle d° 14½ d° 11 inches
- 50 upper d° 14 feet long to side 11 d°
- 20 Top timbers 14 feet long " " 11 d°
- 2 Corner counter timbers
- 2 common -----d°-----
- 2 Knights heads —
- 1 Stern post 25 feet long 18 square at the head and as large fore and aft at the heel as can be got —
- 1 Main transom 25½ feet long to square when worked 18 inches

## List B to be delivered at New York

- 103 first Futtocks
- 63 second d°
- 98 third d°
- 129 top timbers
- 8 fore lower Cants
- 8 fore upper ditto
- 8 Diagonal riders
- 6 Mast partners
- 4 Counter timbers
- 6 Hawse pieces
- 4 half timbers
- 22 Staunchins
- 1 Stem piece
- 1 Apron d°
- 14 floor raising timbers for breast hooks Step for Masts &c
- 24 Cant timbers aft that is 1<sup>st</sup> Futtocks 2<sup>d</sup> Foothooks 3<sup>d</sup> Foothooks & top timbers — 145 Knees.

NB Top timbers moulded at the Gunwale 7 inches, at the port cill 9 inches, all the other timbers sized by a diminishing line from the port cill to the Hoor-sumark which is 14½ inches —

To Messrs. Gibbs & Channing, agents, Newport, R. I., from Secretary of Navy

[PHILADELPHIA,]

*Navy Department July 17<sup>th</sup> 1798*

Mess<sup>rs</sup> GIBBS & CHANNING

*Newport (R. I.)*

GENT<sup>l</sup> Your esteemed favour of the 10<sup>th</sup> Instant is received, and I am well pleased to find, that you agree to accept the Agency for the public, and will attend to the compleat equipment of the Ship in question — It is of importance that the Bolts to be used should be of Copper, for it is found that a vessel bolted with Iron & then coppered will not last more than three years, as the copper corrodes, and soon destroys the Iron — I shall therefore take measures for sending on the copper, the nails and the Bolts, and should Iron Bolts be made use of before these arrive, they must be extracted and the others substituted — I had Intended to consent to the mode of Sheathing and coppering pointed out by you, but have now decided that it will be better to adopt the usual method, and use flannel soaked in Tar, on which the Copper will be placed. —

As you will be likely soon to want Spikes & Bolts, I intend in the course of two or three days to send you about 150 l<sup>bs</sup> — and if no better conveyance offers they shall be sent by one of the Land Stages — The residue will be sent you very speedily —

With regard to the several enquiries contained in your Letter, you shall receive a full reply in a few days —

[NDA. GLB, Vol. 1.]

To James Watson, Navy Agent, New York, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department July 17<sup>th</sup> 1798*

JAMES WATTSON Esq<sup>r</sup>.

*New York*

SIR Believing that so long as the present system continues of procuring our Ships of War at different places, and not more than one or two at a place, the Public Interest will be promoted by giving the entire direction of the Business to Merchants of Intelligence & great respectability of Character I have the honor to request that you will take under your management the Frigate, the Keel of which was laid so long ago in New York — attending no more to former arrangements, than you shall Judge proper, and employing such men to complete her, as you shall think best qualified — I mean that the whole direction & the whole responsibility shall be with you, requiring only your attention to three things — That the Frigate be well built, that She be finished with the greatest possible dispatch — and with the greatest practicable Oeconomy —

I will in a day or two, have an acc<sup>t</sup> furnished of what live Oak Timber wanted for the Frigate at New York, can be supply'd from this place — The rest must be got from Georgia — No Time should be lost in engaging the plank, & White Oak Timber, wanted — and every proper means shou'd be used to give it every chance of durability — Money shall be furnished to your requisitions — you must take care to make them in season —

[NDA. GLB, Vol. 1.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
17 July 1798, Tuesday

The Beginning light Winds from the South West, stood in towards the Bar of Charleston, untill half past 4 PM when we were in one quarter less Eight Fathoms, and near to it's Latitude, but the Weather was so hazy, could not see the Land, tho' our Distance from it could not have been more than four Leagues; at 5 Ditto saw a Pilot Boat with her Colours flying, and standing towards us, but a Brig being in Sight, to which I gave Chace, did not bring to for the Boat; at half past six, it came on to blow hard from South South West, I thought it prudent, as we were still in the above Depth of Water to hawl off to the South East by the Wind, particularly as the Brig we were in Chace of, had just come over the Bar, and must of Course be a Friend. At 7 in double Reefs in the Top Sails, and in Main Sail. At 2 AM it became more moderate, and the Depth of Water being 40 Fathoms, tacked and stood in towards the Land, untill 11 Ditto, when we got twelve Fathoms, then stood off, untill Noon, when I laid her Head in Shore again, there being little Wind, since we tacked, and the Depth the same, white and black Sand. Charleston Bar at Noon bore West B. North  $3\frac{1}{4}$  North, Distance 7 Leagues.

Latitude observed  $32^{\circ} 35' N^{\circ}$

Longitude Account  $80.17 W.$

[HS of Pa. NDA photostat.]

To Mr. Létombe, late French Consul-General, from Secretary Pickering

DEPARTMENT OF STATE July 18, 1798.

M<sup>r</sup> LÉTOMBE,  
*late Consul General of the French Republic*

SIR, I have received your letter of the 15<sup>th</sup> and have the honor to inform you, that the President of the United States, assents to your request, of being permitted to continue the performance of the business stated in your letter, of giving certificates to your fellow citizens, and removing them in flags of truce from the U. States to the dominions of France. The same permission is extended to your colleagues. But no definite time can be fixed when these permissions shall cease; it must be governed by circumstances. It will be expedient to use all reasonable expedition in your operations.

I am, Sir, Your Most Obed<sup>t</sup> Servant.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 11.]

To M. Hubbard, Middleton, Conn., from Secretary of Navy

[PHILADELPHIA,]

*Navy Department July 18<sup>th</sup> 1798*

M<sup>r</sup> N. HUBBARD  
*Middleton, Conn<sup>t</sup>*

SIR M<sup>r</sup> Seth Overton arrived this morning and handed me your letter of the 14<sup>th</sup> in reply to mine of the 10<sup>th</sup> Ins<sup>t</sup> — We have had much conversation on the subject, the result of which is, that I now authorize you to contract with him for the Ship in question, at any

# A R R Ê T É

Contenant des Dispositions relatives aux Bâtimens neutres destinés pour les Ports français de Saint-Domingue.

*Extrait du Registre des Délibérations de l'Agence du Directoire exécutif à Saint-Domingue.*

L'AGENCE du Directoire exécutif, arrête :

## ARTICLE PREMIER.

Les Bâtimens neutres et par conséquent Américains, chargés de comestibles ou de marchandises sèches, continueront à être admis dans les Ports français de Saint-Domingue.

### I I.

Il ne sera pris au compte de l'Administration qu'une partie des comestibles, laquelle sera payée de suite en denrées coloniales, au cours, et en compensation des droits d'importation et d'exportation.

Les Armateurs auront le libre débit des marchandises sèches.

### I I I.

Ces Bâtimens ne pourront être saisis par les vaisseaux de guerre et corsaires de la République, lorsque leur destination sera évidemment pour un des Ports français de Saint-Domingue restés fidèles à la République, même

en cas d'hostilités entre la République et une des puissances actuellement Neutre.

Le présent arrêté sera imprimé, lu, publié, affiché, adressé aux Juges de Paix et Commissaires du Directoire exécutif, près les Administrations municipales des cantons maritimes, à tous les Consuls et Agens de la République, près les puissances Neutres ou Alliées, lesquels sont invités à lui donner la plus grande publicité; il sera en outre inséré dans le Bulletin Officiel de Saint-Domingue.

Fait au Cap, le 30 Messidor, l'an sixième de la République française, une et indivisible.

Signé, au registre des procès-verbaux, l'Agent particulier du Directoire exécutif, T. HEDOUVILLE; le Secrétaire général de l'Agence, GAUTHIER.

*Pour copie conforme,*

Le Secrétaire général de l'Agence.

Signé GAUTHIER.





price, not exceeding 30½ Dollars per Ton, and deliverable at any time previous to the 15<sup>th</sup> of November next —

He promises that she shall be built of the best materials, and finished, at or before that period — You will have a regular contract drawn & executed, as soon after his return as possible — wherein you will keep in view, the above limits & the several particulars mentioned in my Letter of the 10<sup>th</sup> Instant, and add any others that you may consider for the Interest of the United States — This Ship must have an orloper, by which is meant a compleat Spar, Deck

You will have to make a separate contract for the Iron Work, with whoever will execute it on the best Terms — Mr Overton has some Idea of engaging for this also, and I see no objection, provided you are of opinion that he will have the work performed as good & as cheap as another

Care must be taken in drawing the contract to guard against, the United States being exposed to any chance of having the Ship delivered at any place, from whence, it may be impracticable or even difficult to get her out to sea when compleated — You will please to recollect that dispatch is essential — She must be got into Operation, early this Winter, if possible, and you will lend your attention to this point, in doing which, you will have the satisfaction of rendering a Service to the United States — The limits to which you are authorized to extend this Contract, are liberal, and I hope the consequence will be, that they will produce a capital Ship to the Government —

The rule for measurement here is, To take the length from one foot afore the Rabbit of Stem at the upper Edge of the second strake of Wale, to the after part of the Wing Transam, and deduct from it the ¾ of the moulded breadth of Beam for Rake of Stem and 2-½ Inches for every foot the Wing Transam is above the Rabbit of Keel for the Rake of Post — The remainder is the length of Keel — for Tonnage — multiply the Keel for Tonnage by the moulded breadth of Beam — and divide the sum by 95 gives the Tonnage —

[NDA. GLB, Vol. 1.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
18 July 1798, Wednesday

Light Winds from the South South West, and hazy Weather. At 3 PM saw the Land, and Light House of Charleston, bearing West B. North, four Leagues Distance, Depth of Water Eight Fathoms, coarse black and white Sand; Tacked and stood to the South East, the Evening squally, the Morning fine Weather; stood off to Twenty Eight Fathoms Water, and in again to seven, when we made the Land, a little to the Northward of the Bar of Charleston. Several Sail in Sight, two of which we chased to Windward. Charleston Bar at Noon bore West B. South, half South, 5 Leagues Distance.

Latitude observed 32°. 46' N°

Longitude Account 80.23 W.

[HS of Pa. NDA photostat.]

Extract from the journal of Lieutenant John Mulloony, U. S. Frigate *United States*,  
18 July 1798

Light winds, Top Gallant sails down waiting for the *Delaware*  
Spoke the *Delaware* and made sail  
Sounded, 35 fathm, red sand.  
At 1 again 32 D° D°  
At 4 again 32 D° D°  
At ½ 6 spoke the *Delaware*. Foggy  
More clear Spoke a brig of & bound to Kennebunk.  
[Latt<sup>d</sup> Obs<sup>d</sup> 41.7]

[NA.]

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To Archibald Campbell, Baltimore, from Secretary of Navy

[PHILADELPHIA,]  
Navy Department July 19<sup>th</sup> 1798

ARCH<sup>d</sup> CAMPBELL Esq<sup>r</sup> Baltimore

SIR, You must pardon me, for not attending to your last Letter —  
You can form no Idea how much I have been engaged. —

The purport of this, is to request, that the two vessels building by  
the Merchants for the public, may be constructed for 18 Guns —  
The number of the Ships 20 to 24 Guns is engaged, or within one — &  
that one will probably be furnish'd at Norfolk — As to a draft, and  
every thing relating to these Vessels, the subject is as well understood  
at Baltimore as here — It is desirable, that they should be fine  
Sailors, so as to suffer nothing to escape them, & to be taken by nothing —  
This can be done at Baltimore, if any where — You know the  
Gen<sup>ls</sup> Hamilton, Pinckney & Knox. Maj<sup>r</sup> Generals—Lee & Hand,  
ditto in the Provincial Army — Some demur in the Senate about  
the Brigadiers. —

[NDA. GLB, Vol. 1.]

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To Joseph Anthony from Secretary of Navy

[PHILADELPHIA,]  
Navy Department 19<sup>th</sup> July 1798

M<sup>r</sup> JOSEPH ANTHONY

SIR I am much obliged to you for the perusal of the Letter from  
Providence — I am sorry the Gentlemen of that place should think  
the Town neglected by the officers of Government — When I  
entered upon the duties of my office, the business having before  
commence, I really thought all the offers of Ships handed over to  
me, had been acted upon — I found too an opinion prevailing, that  
New Ships had better be built; — and that the public had made bad  
bargains in their purchases — Hence my attention has been directed  
entirely to New Ships — for the few of those which the appropriations  
would enable me to contract. I have endeavoured to get them,  
where they could be supply'd most speedily — I was not well  
acquainted with Providence, — The Ships so far as I can venture, are  
all, I beleive contracted for, at least as far as the appropriations will  
go — Three Ships of 18 Guns still remain to be procured, and these

it is hoped will be furnished by the contributions of the Merchants, in different places — If Providence should build part of one of those Ships, I wou'd try to save at least 10,000 Doll<sup>s</sup> of the appropriated money, towards assisting in the Business — I wish you could bring this about, through your correspondents. —

[NDA. GLB, Vol. 1.]

To Captain George Price, Revenue Cutter *General Greene*, from Secretary of Navy

[PHILADELPHIA,]

*Navy Departm<sup>t</sup> 19 July 1798*

Cap<sup>t</sup> GEORGE PRICE

*Cutter Gen<sup>l</sup> Green.*

SIR, The Cutter, *General Green*, of Ten four Pound Guns, under your Command, being now equipped for a Cruise — I have enclosed your Authority to capture French armed Vessels wherever to be found — You will immediately proceed to Sea, and endeavour to fall in with the *Ganges* Cap<sup>t</sup> Dale, and the Cutter, *Governor Jay*, Cap<sup>t</sup> Leonard — This latter Vessel I expect will leave New York Tomorrow, & will fall in with Cap<sup>t</sup> Dale, somewhere off Sandy Hook — but it is possible, that Cap<sup>t</sup> Dale may not have received my Instructions to this Effect — in which Case, You and the Cutter *Gov. Jay*, will cruise together until you fall in with Cap<sup>t</sup> Dale, which you will do somewhere between Cape Henry & Long Island, being his Cruising Ground — and when You fall in with him, you will consider Yourself under his Command — Wishing you a great deal of Success & honor, I am &c.

For Instructions See Page 98.

[NOTE.—Page 98 contains instructions to commanders of armed vessels, at Philadelphia, 10 July 1798, included in this volume.]

[NDA. OSW, Vol. 1.]

To Captain Richard Dale, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

*Navy department 19 July. 1798.*

RICH<sup>d</sup> DALE.

SIR, In my last of 13<sup>th</sup> Ins<sup>t</sup> I enclosed your Authority to capture French armed Vessels, wherever found — and the Act of Congress upon which that Authority was founded. I also informed you that the Cutter *Gov<sup>t</sup> Jay*, Cap<sup>t</sup> Leonard would be ready to sail from New York the 20<sup>th</sup> Ins<sup>t</sup> — an requested you would be about Sandy Hook at that Time and take her under your Command. — Cap<sup>t</sup> Price of the Cutter *Gen<sup>l</sup> Green*, 10 four Pounders, has orders to join you as quickly as possible — With this Vessel & the Cutter of 14 Guns from New York, your force will be formidable to any Thing likely to come from the West Indies — You will therefore allow Yourself a larger Field & go further to Sea — & pay some Attention to the Neighbourhood of Bermudas; still however, keeping in View, that the Protection of the Coast from Long Island to Cape Henry is your principal Object. & must not be lost sight of — It will still be desirable to communicate with you as often as Occasion may require from

Delaware — When you come in the Coast in that direction, you will hover about for a day, that Pilot Boats, which may be dispatched from hence, may fall in with you. — We have no News, The Appointments of Generals in our Army, are now taking Place — & preparations making to strengthen Ourselves at Sea. —

[NDA. OSW. Vol. 1.]

To Captain John Leonard, Revenue Cutter *Governor Jay*, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 19. July. 1798

Cap<sup>t</sup> JN<sup>o</sup> LEONARD

*Rev. Cutter Governor Jay. New York.*

SIR, By an arrangement with the Secretary of the Treasury, the Cutters as soon as prepared for Sea, are to be put under the direction of the Navy Department. I am informed, that the *Gov<sup>t</sup> Jay*, under your Command, of 14 Guns, will be prepared for Sea, tomorrow. In consequence of which I now enclose you Authority for capturing armed Vessels sailing under Authority or pretence of Authority from the French Republic, wherever found. — Cap<sup>t</sup> Dale in the Ship *Ganges*, has orders to be near the Hook, about the 20<sup>th</sup> Ins<sup>t</sup> with whom you will endeavour to fall in, as early as possible, & under whose Command you will cruise. —

His Cruising Ground extends from Long Island to Cape Henry — You will if he should not be at the Hook, endeavour to find him — Wishing you great Success & honor I am &c.

[NDA. OSW, Vol. 1.]

Extract from the journal of Lieutenant John Mullowny, U. S. Frigate *United States*, 19 July 1798

Light wind clear weather.

Fresh breeze

Rain, hoisted a light for the ship *Delaware*

Sounded every hour in the night 80 fathoms no bottom.

At 10 A. M. made the land W dist 5 or 6 Leagues

Spoke a fishing schooner, who told us the Land in Sight was Cape Cod.

Clear weather beating up the Bay.

[Lat<sup>d</sup> Obs<sup>d</sup> 42.7]

[NA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*, 19 July 1798, Thursday

Fresh Gales all these 24 Hours, the first Part from South South West, to South West; the latter from North, to North North East, and throughout, the Weather has been very squally, and uncertain with an Abundance of Rain, Lightning and Thunder. At 2 PM spoke a Ship, that had left the Bar of Charleston two Hours before, bound to Malaga, and a Schooner that came out at half past 10 AM bound to Cadiz. I wished them well, and stood to the South East,

double reefed the Top Sails, took in the Main Sail, Jib, and Mizzen Top Sail, and at 8 PM hawled up the Fore Sail.

At 4 AM wore and stood to the Westward, at 10 Ditto saw a Sail in the North North West, gave Chace, and at 11 Ditto brought her to with a Shot, she proved to be the Brig *Eliza* from Boston bound to Savannah; this Vessel had seen no Cruizer, except the British Ship *Resolution* of 74 Guns off Cape Henry. Charleston Bar at Noon bore W. B. N. eleven Leagues Distance, Depth of Water twenty Fathoms, Stones with coarse Sand, and Shells; the Bottom having a greenish Appearance.

Latitude observed 32°.35' N°

Longitude Account 80.00 W.

[HS of Pa. NDA photostat.]

Men recruited for Frigate *Constitution*, 1798

[July 19, 1798.]

The UNITED STATES

Dr to JOHN B. CORDIS.

For cash advanced sundry seamen recruited for the U. S. Frigate *Constitution*, viz.

Dates	Men's Names		Money Advanced
1798			
May 31	James Hoyt,	Seaman	\$36. "
June 4	William Salisbury	Seaman	26. 50
	James Carter	d°	36. "
	James Wall	d°	34. "
	William Botsford	d°	34. "
	Richard Walter	d°	34. "
	Andrew Mellings	d°	34. "
	John Lewis	d°	26. "
	William Osborn	Ordinary Seaman	24. "
5	John Hunt	d°	20. "
6	Sam <sup>l</sup> Oakes	Carpenters mate	36. "
July 19	Henry Dillaway	Steward	36. "
	Isaac Hooton [or Hoston]	Ordinary Seaman	20. "
	Nathan Crooker	Seaman	34. "
	William Jones	d°	34. "
	Roger Bainard	Ordinary Seaman	20. "
	John Robinson	Seaman	34. "
	Dennis Carney	d°	21. "
	William Smith	Ordinary Seaman	20. "
	William Brooks	Seaman	34. "
8	Joseph Baker	quartermaster	36. "
9	John Sawyer	d°	26. "
	Anthony Josephus	Ordinary Seaman	20. "
11	William Armstrong	d°	5. "
	John Holston	Seaman	34. "
	Henry Kirk	d°	34. "
	Thomas Evens	Ordinary Seaman	20. "
12	Peter Pero	d°	10. "
	Ezekiel Davis	d°	20. "
	Edward Sidons	d°	20. "
	James Patersons	Seaman	" "
	Daniel Davis	Ordinary Seaman	20. "
13	Robert Kemble	d°	34. "
	David Knitmyer	Seaman	34. "
	John P. Mack	Midshipman	40. "

# 224 NAVAL OPERATIONS; FEBRUARY 1797-OCTOBER 1798

For cash advanced sundry seamen recruited for the U. S. Frigate Constitution, viz—  
Continued

Dates	Men's Names		Money Advanced
1798			
July 13	John Copeland	Boatswains Mate	\$36. "
	John Caruth	Seaman	34. "
	Daniel Spriggs	Ordinary Seaman	12. "
	Henry Collins	Seaman	34. "
	George Jenkins	Seaman	38. "
	Levi Dodge	d°	39. "
	John Smith	Seaman	34. "
	Peter Swan	d°	34. "
	John Marshall	Ordinary Seaman	34. "
July 13	John Gay	Seaman	34. "
	Samuel Cavilier	d°	34. "
	Henry Burnett	d°	36. "
	William McCulloch	d°	34. "
19	William Morris	d°	26. "
	John Gendall	Ordinary Seaman	20. "
	John Hancock	Seaman	22. "
	Matthew Wake	Ordinary Seaman	20. "
	Richard Williams	Seaman	34. "
	Edward West	d°	30. "
	Thomas Bumford	d°	34. "
	Andrew Robb	Ordinary Seaman	20. "
	Thomas Cole	Seaman	36. "
	Cornelius Howard	Ordinary Seaman	4. "
	James Norris	Seaman	20. "
	Archibald Thompson	d°	36. "
	Jacob Libby	Carpenter	50. "
	John Robson	Seaman	30. "
	John Pearce	Ordinary Seaman	25. "
	William Ray	Seaman	28. 25
	William Taylor	d°	34. "
	Thomas Hall	Ordinary Seaman	20. "
	Richard Blaw	Seaman	34. "
	John Shepherd	d°	25. "
	William Grant	Ordinary Seaman	10. "
	Joseph Fort	Seaman	21. "
	John Hardy	d°	34. "
	Samuel Harvey	Ordinary Seaman	32. "
	James Moore	Seaman	38. "
	Charles Major	d°	6. "
	William Felt	Sail Maker	42. "
	Jos <sup>h</sup> Poland [or Volland]	Armourers Mate	28. "
	Philemon Noble	Ordinary Seaman	5. "
	Richard Nickells	Seaman	34. "
	John Essenburgh	d°	36. "
	John Doyle	d°	34. "
	Joseph Torrey	Gunner	40. "
	William Grimes	Seaman	34. "
	John Hendrickin	Ordinary Seaman	18. "
	Thomas Williams	Seaman	34. "
	Adam Nutt	d°	38. "
	Josiah Chase	d°	34. "
	William Coolidge	Ordinary Seaman	11. "
	William Fulkcs	Seaman	36. "
	Moses Burchard	d°	36. "
	John Smith	Ordinary Seaman	10. "
	Simeon Wyman.	Steward	30. "
	John Swins	Seaman	18. "
	Isaac Wendale	Ordinary Seaman	20. "
	Richard Collins	d°	20. "

For cash advanced sundry seamen recruited for the U. S. Frigate Constitution, viz—  
Continued

Dates	Men's Names		Money Advanced
1798			
July 19	Peter Crosby	Master's mate	\$40. "
	Benjamin Davis	Seaman	34. "
	Isaac Stevens	Ordinary Seaman	20. "
	Michael Cosgrave	d°	20. "
July	Gideon Hunt	Seaman	23. 50
	John Landen	d°	34. "
	Arch <sup>d</sup> McDougale	quarter master	36. "
	Jacob Phelps	Ordinary Seaman	20. "
	Benjamin Butler	d°	20. "
	David Fry	d°	20. "
	William Pearce	d°	20. "
	James Hincks	d°	20. "
	John Lewis	d°	20. "
	James Neale	Seaman	38. 30
	George Murrey	d°	34. "
	Francis Vassure	Ordinary Seaman	20. "
	Edmund Flinn	Ordinary Seaman	20. "
	Johiel Earle	d°	10. "
	Charles Hodge	d°	12. "
	James Connell	Boatswain	45. "
	John Abbott	Ordinary Seaman	20. "
	Alex <sup>r</sup> McCabe	d°	10. "
	Job Foster	Seaman	23. "
	George Brown	d°	35. "
	William Cox	Ordinary Seaman	20. "
	Charles Sand	Seaman	37. 50
	Henry Phelps	Ordinary Seaman	10. "
	Thomas Pitts	d°	20. "
	James McLaughlin	d°	10. "
Twice	Ezekiel Davis	d°	20. "
	Rufus Norton	d°	20. "
	John Wilson	Seaman	34. "
	William Mahany	d°	36. "
	Fra <sup>r</sup> McKinsey	Ordinary Seaman	14. "
	William Schofield	Seaman	34. "
	Thomas Smith	d°	34. "
	Oliver Algers	d°	34. "
	Henry Barns	d°	34. "
	Robert Corbett	d°	28. "
	Christopher Kerling	d°	29. "
	Joseph Hemmingway	Ordinary Seaman	20. "
	John Philbrook	Carpenters mate	36. "
	Thomas Webb		6. "
	James Cary	Seaman	36. "
	John Haley	d°	34. "
	Hugh Burns	Ordinary Seaman	9. 10
	Beth Hamilton		5. "
	John Swain	Seaman	34. "
	Masquerade, John	d°	34. "
	William Hamilton	d°	23. 30
	John Green	Ordinary Seaman	20. "
	Joseph Cutts	Seaman	19. 50
	Patrick Reed	Ordinary Seaman	10. "
July	John Donolly	Ordinary Seaman	17. "
	George Horn	Seaman	17. "
	Hugh Birch	Ordinary Seaman	7. "
	Clark Cushman	d°	16. "
	Joseph Jeffries	Seaman	34. "
	Benjamin Hazer	d°	34. "
	John Thompson	d°	17. "
	John Willing	d°	34. "

# 226 NAVAL OPERATIONS; FEBRUARY 1797–OCTOBER 1798

*For cash advanced sundry seamen recruited for the U. S. Frigate Constitution, viz—*  
Continued

Dates	Men's Names		Money Advanced
1798			
July	Ja <sup>s</sup> Featherstone	Master's mate	\$17. "
	Philip Solomon	Ordinary Seaman	20. "
	William Hall	d <sup>o</sup>	10. "
	John Maisden	Seaman	26. "
	Ja <sup>s</sup> Perkins	Sail Maker's mate	36. "
	Sam <sup>l</sup> Bailey	Cook	16. "
	John Brown	Ordinary Seaman	20. "
	William Hutchins	Seaman	34. "
	James Dronne	Ordinary Seaman	11. "
	John Osmant	d <sup>o</sup>	20. "
	Edward Durnant	Master's mate	40. "
	John Dade	d <sup>o</sup>	41. "
	Robert Hilman	Ordinary Seaman	31. 25
	William Collins	Seaman	31. "
	John N. Smith	d <sup>o</sup>	33. 50
	Thomas Welsh	d <sup>o</sup>	34. "
	David Armstrong	d <sup>o</sup>	17. "
	John McDonald	d <sup>o</sup>	34. "
	Thomas Nelson	d <sup>o</sup>	20. "
	Caleb Hogg	Acting Midshipman	20. "
	Tom Woodman	Seaman	34. "
	Rufus Blanden	Ordinary Seaman	11. "
	James Bates	d <sup>o</sup>	8. 50
	Charles Caton	Seaman	10. "
	William Shaw		9. 50
	John Swinney	Quartermaster	36. "
	James Watson	Seaman	34. "
	James Walter	d <sup>o</sup>	34. "
	John Aldbro	Ordinary Seaman	13. 25
	Philip Sutton	Seaman	3. 50
	Sharp Gardiner	Cook	6. 50
	Henry Brown	Seaman	30. "
	Amos Larcom	Ordinary Seaman	8. 75
	William Holland	Seaman	40. 50
	Antonio Francisco	d <sup>o</sup>	18. 67
	Robert Sharkey	Ordinary Seaman	5. "
	Will Coffin	Quarter Master	20. "
	Peter Sancree	Ordinary Seaman	20. "
	Thomas April	d <sup>o</sup>	20. "
	James Jackson	d <sup>o</sup>	10. "
	John Lamson	Capt <sup>s</sup> Clerk	25. "
	Joseph Copeland	Seaman	30. "
July	Artemas Harrington	Seaman	10. "
	Valentine Hickey	Ordinary Seaman	20. "
	Will <sup>m</sup> McMacklin	Cooper	36. 50
	Thomas Moody	Ordinary Seaman	20. "
	John Mahany	Seaman	34. "
	Joseph Norris	Ordinary Seaman	20. "
	Samuel Phillips	Seaman	40. 50
	Thomas Spells	Seaman	25. "
	Barnard Truman		36. "
	Samuel Wilson		20. "
	Henry Johnson		20. "

\$5, 300. 87

Errors Excepted

J. B. CORDIS.

Account of J. B. Cordis Recruiting Officer 1798.

N B. There will be observed in the above account a very considerable difference between that & the one formerly forwarded to



the Accountants Office which arises in consequence of my having lost a part of the original account — but I presume the Accountant will be so good as to correct the former by the present & vis a vis by which it will stand right.

J. B. CORDIS.

[NDA. NR, Men recruited by J. B. Cordis, for *Constitution*, 1798.]

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To James Watson, Navy Agent, New York, from Secretary of Navy

[PHILADELPHIA,]

Navy Department July 20<sup>th</sup> 1798

JA<sup>s</sup> WATSON Esq<sup>r</sup> New York

SIR I fear you will find me a very troublesome correspondent — Two Ships are building for the public, — one at Newport, R. I., under the direction of Mess<sup>rs</sup> Gibbs & Channing, One at Middleton, Connecticut River under the direction of Nehemiah Hubbard for which Copper Bolts are immediately wanted. Indeed I am apprehensive the Ship at Newport is now waiting for them — I understand these kind of Bolts — can be immediately obtained in New York — Will you be so good then, as to have procured and sent off without delay to each place, copper bolts agreeably to the list enclosed — I have requested the Secretary of the Treasury to remit you 2000 D<sup>s</sup>

Capt<sup>n</sup> McNeil who goes to New York by this days mail, & thence to Newport will take any trouble to get on the bolts to their destination — He is in the Navy. —

A good deal of sheathing Copper, Nails, and Spikes will be wanted, and soon for the Ships in preparation — Can these articles be furnished in any quantity at New York? The price for Patent Copper at this place is 50 Cents but it is difficult to be had — If you can buy Twenty or 25 Thousand feet, not exceeding this price, I wish you would at once do it — The money shall be remitted to your order — You have contracted for Guns, for the Ship building under your direction — could further contracts be made for Guns of different sizes, from Six, to Twenty four pounders?

P. S. What can Powder be procured for with you?

[NDA. GLB, Vol. 1.]

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To Secretary of State from Secretary of Navy

[PHILADELPHIA,]

Navy Depart<sup>mt</sup> 20<sup>th</sup> July 1798

SEC<sup>y</sup> of STATE

D<sup>r</sup> SIR The Signals put into your hands by M<sup>r</sup> Liston, as received from Admiral Vandeport to be used between the British and American Ships of War, Shall be communicated by the first Opportunity to our Commanders of Ships, with Orders to observe them.

[NDA. Sec. State LB, 1798-1824.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
20 July 1798, Friday

Fresh Breezes from the North East, and pleasant Weather, but the Water a little rough. At 2 PM spoke the Brig *Hellen* from Charleston, bound to Bristol; came out at 6 AM and had seen no Cruizers. Shortly after several Sail hove in Sight, to which I gave Chace, and at half past 2 PM saw the Land a little to the Southward of the Bar of Charleston; at 3 Ditto spoke a Dutch Brig bound to Amsterdam; at  $\frac{1}{4}$  past 3 spoke a Danish Ship bound to the same Place; and at 4 Ditto an English Ship, bound to London, these Vessels all left Charleston in Company with two American Brigs that were ahead early in the Morning.

At half past 6 Ditto brought to with a Shot the English Schooner *Concord*, Peter Buchard Master, from Jamaica bound to Charleston, loaded with Rum; this Vessel had been out 15 Days, and seen no Cruizers, except an English Sloop of War off the Hole in the Rock (Bahamas). I examined his Papers and permitted him to proceed.

At 9 AM spoke a small Schooner from Wilmington, North Carolina, bound to Saint Mary's; came out Yesterday, and had seen no Vessel, except this Frigate. I desired the Master to present my Compliments to M<sup>r</sup> Seagrove, for whom he said, he had Letters; at 11 Ditto spoke a Schooner from Boston bound to Savannah, out 30 Days, had experienced violent South West Gales, saw no Sort of Cruizers.

At Noon the Light House of Charleston bore North B. West, 10 Leagues Distance, and that of Savannah West South West, Eighteen Leagues the Depth of Water Eleven Fathoms, black and white Sand.

Latitude observed 32°.14' N<sup>o</sup>

Longitude Account 80.33 W.

[HS of Pa. NDA photostat.]

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To John Gavino, United States Consul, Gibraltar, from Secretary Timothy Pickering

DEPARTMENT OF STATE,  
Philadelphia July 21. 1798.

JOHN GAVINO Esq<sup>r</sup>

SIR, Herewith you will receive two Commissions and two bonds, the former for the two armed ships *Washington* and *Mercury* of Boston, and the bonds to be signed by the respective captains in the presence of yourself or chancellor or clerk, and two of the inferior officers of each ship. This trouble is given to you in consequence of those ships having sailed before the Commissions authorized by an Act of Congress reached Boston. If the ships should increase their force in guns or men or either, I should think it advisable for you to endorse the same on the commissions respectively, and certify the same under your Consular seal.

Duplicates of these papers will be forwarded to you, by M<sup>r</sup> Jones, the sole or chief owner of the ships; and the duplicate bonds when executed by the respective captains, I must request you to return to me by the best conveyances that shall occur. I inclose a copy of the Act and of the instructions founded thereon. I am, Sir, &c.

TIMOTHY PICKERING

[SDA. Dip. Cor., Inst. to Min., Vol. 4, 1797–1798.]

To John Coffin Jones, Boston, from Secretary Pickering

[PHILADELPHIA]

Department of State July 21. 1798

JOHN COFFIN JONES Esq<sup>r</sup> Boston. —

SIR, Captain Anthony has just sent me your letter of the 15<sup>th</sup> and one from M<sup>r</sup> Hays of the same date, relative to your ships *Washington* and *Mercury*, which sailed a day or two before the arrival of commissions at the collectors office in Boston. Such cases were not anticipated, or instructions would have been sent to the Collector how to provide for them. I shall as soon as I have time write to Gen<sup>l</sup> Lincoln on the subject. To prevent any possible delay I address the Commissions immediately to you, accompanied with a letter to John Gavino Esq<sup>r</sup> Consul of the United States at Gibraltar, to ask his aid in putting the affair in the best form the State of things will now admit.

I inclose the forms of applications for commissions for both Ships, which you (and your partners, if you have any) will sign, after you have filled up the blanks. The items specified in the applications, you will introduce in the proper blanks in the commissions — particularly the names of the other owners, if any, the numbers of carriage guns and men and the names of the lieutenants, that is the two officers next in command to the captain. — In the bonds insert also the names of the other owners, and the names of the two sureties required by law. You will put as many seals to the bonds as there are persons to sign them; and then with your sureties execute them in the presence of witnesses. One of the bonds thus executed, for each ship, you will be pleased to transmit to me, with your applications for commissions. The other bonds, to be filled up with the same names for the respective ships, and executed by the owners and sureties, you will inclose in the letter to M<sup>r</sup> Gavino, who will obtain the Signatures of the Captains to their respective bonds, and then transmit them to me. Inclosed are duplicate bonds thus to be executed by you and your sureties and forwarded to M<sup>r</sup> Gavino, together with duplicate commissions, and a duplicate of my letter to M<sup>r</sup> Gavino.

These expedients which at this instant have occurred I hope will answer the wishes of yourself and all concerned.

I am respectfully, Sir, your Ob<sup>t</sup> Servant,

TIMOTHY PICKERING

[S.D.A. Dom. L., Vol. 11.]

To Joshua Sands, Collector, New York, from Secretary Pickering

[PHILADELPHIA,]

Department of State July 21<sup>st</sup> 1798.

JOSHUA SANDS Esq<sup>r</sup>

Collector of the Customs New York.

SIR, Having lately transmitted to you a permit to clear the Schooner *William*, Cap<sup>t</sup> Burr, for the Port of Santo Domingo, I beg leave to remark, that under the terms "goods and effects" of French persons, if great care be not taken, a traffic will still be carried on with the French Ports, and the object of the law referred to be frustrated. If an American vessel is fairly designed to deport French persons according to the act, as many passengers will ordinarily be engaged as she

can conveniently carry: and this circumstance may be considered as a good criterion of the real object of the voyage. On the other hand, if few passengers embark with many "goods and effects," they may justly be suspected of collusion.

I have taken the liberty to suggest these remarks as they occurred, in a measure which in this Country is novel, and from the singularity of our political situation, perhaps unexampled. I am very respectfully,  
Sir, &c

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 11.]

To James Simons, Charleston, from Secretary of Navy

[PHILADELPHIA,]

Navy Department July 21. 1798

JA<sup>s</sup> SIMONS ESQ<sup>t</sup>  
Charleston

SIR I have *this day* received from the Treasury Department, your Letters to the Secretary of the Treasury, from May to the 8<sup>th</sup> July — M<sup>r</sup> Wolcott has unfortunately been absent, almost the whole time I have been in office — You will perceive by the Act of Congress enclosed, the number of Vessels to be procured, & the Funds. And you may Judge how much is expected from the Patriotism of our Citizens. —

Of those, Vessels, arrangements have been made through the public appropriations & patriotic subscriptions for all but 3 Vessels not exceeding 18 Guns — one not exceeding 24 — & one not less than 32 — As from the Letter of Cap<sup>t</sup> Cochran — the *Unanimity* cannot be made a proper cruizer — She must be given up to the Owner, at the stipulated time — There is now a fine Frigate on your Coast — There will shortly be at least one 20 Gun Ship, perhaps more, & several Cutters — still it would be very desirable, that the Public Spirit of Charleston, should furnish one, or assist in furnishing one Vessel to the public.

The Vessel of W<sup>m</sup> Pritchard, so strongly recommended by Cap<sup>t</sup> Cochran, could soon be got ready with the aid of the public materials on board the *Unanimity* — Pray try to have this effected through the Patriotism of the Citizens — Should further public aid, than the Articles on board the *Unanimity* be necessary, it will not be withheld, altho I believe the Engagements I have already made, will exhaust the appropriations — If this Vessel should be offered by the Citizens to the public it will be necessary that she should be coppered — You have Copper, — I presume She is Iron bolted — In this case it wou'd be well to give her a Coat of well tarred Sheathing paper, then a sheath of half-Inch Cedar boards — then another coat of thin paper, and over the whole, Copper — She cannot I presume mount more than 18 — 6 pound<sup>s</sup> and it wou'd be better to mount 16, than to have 18 — & be too much crowded — The distance between this place & Charleston is so great, that if the Citizens purchase this, or any other Vessel, it will be best that they should appoint some person, to fit her without waiting for advice or information from hence — It will be enough to say in season, the articles wanted from hence — which shall be furnished —

[NDA. GLB, Vol. 1.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
21 July 1798, Saturday

The first Part of this Day, the Weather was clear and pleasant, and we were favoured with a charming Breeze from the North East, and smooth Water. At AM it became squally, and rained incessantly untill about 6 AM, when the Clouds began to sepearate, and it cleared away.

Steered along the Coast in from 11 to 23 Fathoms Water, various Courses as per Column, in Order to visit our most Southern Limits (which is the Middle of the River Saint Mary's) as settled by the Definitive Treaty of Peace with Great Britain, Signed at Paris on the 3<sup>d</sup> Day of September 1783. At Noon found ourselves beyond our Southern Limits a few Miles, and no Vessels being in Sight, bore away towards the Entrance of Tybee, on the South Shore of which stands a Light House, to facilitate the Arrival of Vessels bound to Savannah &c. The Current these 24 Hours has set us to the Southward at the Rate of one half Knot per Hour. Our Southern Extremes, the Middle of Saint Mary's River, at Noon bore West half North, 15 Leagues Distance; Depth of Water 19 Fathoms, round black Sand, with some white mixed.

Latitude observed 30°.22' N<sup>o</sup>

Longitude Account 80.48 W.

[HS of Pa. NDA photostat.]

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French Privateer *La Croyable* advertised for sale

[21 July 1798]

United States,  
Pennsylvania District. }SS

In pursuance to a writ directed from the Hon. Richard Peters, Esq., Judge of the District Court of the United States for the Pennsylvania District, will be exposed to PUBLIC SALE, at the Merchant's Coffee House, in the City of Philadelphia, on Monday, the 30th day of July instant, at 12 o'clock at noon —

The Schooner called

*La Croyable*

with all and singular, her apparel, guns, and appurtenances, lately captured by the armed vessel belonging to the United States, called the *Delaware*, Stephen Decatur, Esq. commander, the same being in my custody and possession, by virtue of a writ of attachment, lately issued out of the court aforesaid, at the suit of the United States, and condemned as forfeited.

WILLIAM NICHOLS, Marshal

Marshal's Office }  
21 July, 1798 }

dsts

N. B. The inventory may be seen at my office.

[LC, "Claypoole's American Daily Advertiser" (Phila.), Monday, July 23, 1798.]

To Joshua Humphreys, Naval Constructor, from Captain John Barry, U. S. Navy

FRIGATE *U. States* IN NANTASKET ROAD

July 22<sup>d</sup> 1798

DEAR SIR It is not in my power at present to reply fully to your letter, but so much I can say, that in sailing out of the Delaware the ship drew twenty two feet 6 Inches water abaft, and twenty feet forward — no ship ever went to Sea answers her helm better, and in all probability will surpass every thing afloat — Capt<sup>n</sup> Decatur thought he could sail with any thing, for he never saw a vessel he could not come up with or leave with ease, untill he got along side of the *United States* he with me is of opinion that she will sail with any thing that floats; she is rather tender, but when I get clear of the Firewood between decks, and some of the lumber on Deck I hope she will be stiffer. — The day I left the Capes I discovered your favourite foretop Mast sprung, but nursed it untill I got here, I have got it down, and am now getting another up, that I hope will do better I beg you will make my best respects to M<sup>r</sup> Humphreys & family and believe me long

Dear Sir

Your Obed<sup>t</sup> hum<sup>bl</sup>e Serv<sup>t</sup>

JOHN BARRY.

[To JOSHUA HUMPHREYS]

[HS of Pa. NDA photostat.]

[22 July 1798.]

Water rations, U. S. Frigate *Constellation*

An Encrease of

Water to be added to the Order of the 29<sup>th</sup> June; so that each Man have five Pints per Day, instead of *four* and one half Pints; exclusive of that allowed for Cooking as aforesaid.

At Seven Bells every Morning.....	three Half Pints
At half past 11 AM.....	two Ditto —
At half past 3 PM.....	two Ditto —
At half past 6 Ditto.....	three Ditto —

Ten half Pints per Man

JULY 22<sup>d</sup> 1798.

THOMAS TRUXTUN.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
22 July 1798, Sunday

Throughout these Twenty four Hours, the Winds have been baffling and light, with a Southerly Current, and squally disagreeable Weather, which induced me after One PM to endeavour to get off Shore a little, in Hopes of finding less Current, and better Weather; no Vessels in Sight these two Days past. Set up the Rigging, and repaired various little Matters, that had got out of Order. Depth of

Water at Noon 19½ Fathoms, grey Sand with black Specks. At the same Time, we were near the Line of our Southern Limits.

Increased the Allowance of Water to five Pints per Man each Day.

Latitude observed 30°.35' N.º

Longitude Account 80.48 W.

[HS of Pa. NDA photostat.]

To Joshua Humphreys, Naval Constructor, from James Morris

NANTUCKET ROAD July 23<sup>d</sup> 1798.

SIR I have sent this to inform you as I think it will be a satisfaction to you hear of the *United States* how she behaves at sea I believe she will be a little wet but for sailing and steering I believe there is but few will match her one spoak and a half of the wheel is all she wants we have been going 12 knots at the same time we could have carried a good deal of more sail I saw M<sup>r</sup> Barron carry a lighted candle for & aft when she was going 9 knots by the Wind. She is a little crank but very little and we have a great deal of top weight upon deck which is a good deal the occasion of it we shifted our fore top mast as it complain'd greatly at sea: So with my duty to you and all the family, I remain — Sir

Your very humble Servant

JA<sup>s</sup> MORRIS.

[To JOSHUA HUMPHREYS]

[HS of Pa. NDA photostat.]

To Captain Patrick Fletcher, Boston, from Secretary of Navy

[PHILADELPHIA,]

Navy Department, 23<sup>rd</sup> July 1798

Cap<sup>t</sup> PATRICK FLETCHER, Boston

SIR, Upon Examination I find M<sup>r</sup> Fox, who keeps the Register of Commissions, forwarded your's to Cap<sup>t</sup> Nicholson, with an observation, that your Commission being of a later date, you were to act as youngest Lieutenant on board the Frigate — The Fact is — It was intended by the President that you should supply the Place of M<sup>r</sup> Preeble, as first Lieutenant on board the Ship. — Your Commission ought to have been N<sup>o</sup> 1 — to this Effect I have written Cap<sup>t</sup> Nicholson, and in this Character, I hope you will go on board, for I should lament, that by a Mistake at this Office — The Public should be deprived of the Services of an Officer so well qualified as you are known to be for the Present, or a higher Command.

[NDA. OSW, Vol. 1.]

To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

Navy Department 23<sup>rd</sup> July, 1798

JER<sup>h</sup> YELLOTT Esq<sup>r</sup>

SIR Your favor of the 20<sup>th</sup> Instant is at hand The usual mode of proving cannon is by two successive discharges, the weight of Powder for the first to be equal to two thirds of the Weight of the Ball and

for the second, equal to half the Weight of the Ball — The allowance for windage,  $1\frac{1}{10}$  Inches —

You will be pleased to purchase the Quantity of Slops that may be deemed necessary, as the United States are to supply them & not the Purser — In consequence of the favorable recommendation you enclosed of M<sup>r</sup> Tho<sup>s</sup> Rowland, I shall mention his name to the President, and have no doubt he will receive the appointment solicited for him, of which you shall be advised —

P. S. Since writing the foregoing, I have referred to a copy of the Contract made by the Secretary of the Treasury with M<sup>r</sup> Hughes in October 1796 — and the following is an extract so far as relates to the proving of the cannon —

9<sup>th</sup> That the proof by Powder shall be as follows Viz<sup>t</sup> — Each “cannon shall be proved by two successive discharges — The Weight of the powder for the first discharge, shall be equal to  $\frac{3}{4}$ <sup>rd</sup> of the Weight of the Ball, and for the second, equal to half the Weight of the Ball — The Cartridge to be well rammed down with a rod over it — Two Balls to be placed over the Cartridge with a wad between them, and a wad above, which also shall be well rammed down — The Balls to be measured, so as to allow a sufficient Windage to be approved of by the Officers who shall make the Experiments and the said Samuel Hughes, on behalf of the Cecil Company, or any person he may appoint for that purpose.”

10<sup>th</sup> That to ascertain the Strength of the Trunnions, The cannon “shall be placed on two pieces of Wood, having Indentions large enough to receive two thirds of the Trunnions, and with the hinder part at a sufficient distance from where the Trunnions lodge, so that the Breach of the Cannon, may be inclined in any direction, but never so as to rest on the Ground — The Proof by Powder to be made on the said pieces of Wood. —

11<sup>th</sup> — That the Cannon which shall have stood the Proof by Powder shall be raised from off the Temporary carriage, and placed upon a supporter, and filled with Water, and should the Water on being compress’d filter through any part of the Cannon, the same shall not be received by the United States, altho’ they have stood proof by Powder.

12<sup>th</sup> — That the Cannon which shall have stood the aforesaid examination & Proofs, shall be subject nevertheless to be reexamined — and if new holes are detected, or the ones tolerated found to have been enlarged by the firing, all such cannon shall undergo a second Proof, but of one discharge only with two thirds powder, and two Balls, as before specified when if the Holes exhibit no further enlargement, the said cannon shall be admitted & receipted for, after being weighed — ”

NDA. GLB, Vol. 1.]

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To Secretary of War from Secretary of Navy

[PHILADELPHIA,]

Navy Depart. 23 July. 1798

SEC<sup>y</sup> AT WAR,

SIR The Ship *Montezuma* and the Ship *Baltimore* are nearly ready for Sea, and want before I can have them procured by other means, one hundred Muskets & Fifty pair of Pistols.



Will you be pleased to lend me these Articles & have them delivered to Cap<sup>t</sup> Gill. —

[NDA. Sec. War LB, 1798-1824.]

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To Secretary of Navy from Secretary of State

[PHILADELPHIA,]

Department of State July 23, 1798.

BENJAMIN STODDERT, Esq<sup>r</sup>  
Secretary of the Navy.

DE<sup>r</sup> SIR, M<sup>r</sup> Liston to-day handed me the inclosed list of Signals which he has received from Admiral Vandeput, in anticipation of your wishes of a mutual understanding on this subject. If you approve of them, be pleased to let me know it, and that you will by the earliest opportunities give them in orders to the armed vessels of the U. States.

I am very respectfully your & cc.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 11.]

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[23 July, 1798.]

Extract of a letter from the owner of the Ship *Hetty Jane* regarding capture of said ship

*Another French Hug*

ST. PIERRE, MARTINICO, Oct. 14.

MY DEAR SIR, I have the concern to inform you of the capture and condemnation of my ship the *Hetty Jane* and cargo, at Basseterre, in the island of Guadaloupe. We were taken on 23d July, about 500 miles from Charleston, and arrived at Basseterre the 6th or 7th Sept. and immediately, I may say, thrown into prison, crowded with all sorts, colours, and conditions of people. In this we were left on a course of living greatly below the most ordinary expectations of humanity, being simply bread, water, and sometimes hardly two ounces of beef or fish, generally in a very offensive, not to say, putrid state. We were released the 30th Sept. on our parole of honour, to the number of forty or upwards, and put on board an English cartel and sent to Port Royal in this island, and from thence to this place. We here have dispersed our selves on board the different vessels of our countrymen, who have humanely received us, and continue to shew us those marks of kindness so peculiarly grateful to the feeling and the unfortunate.

[LC, "Claypoole's American Daily Advertiser" (Phila.), 28 November 1798.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
23 July 1798, Monday

Light Easterly Winds, and variable all these 24 Hours, with smooth Water; and some Squalls of Rain. Employed setting up the Rigging, no Vessels in Sight. Died at 11 AM Patrick Leonard, an

Ordinary Seaman; this Man had an old sore Leg, and a Complication of Disorders. I directed the first Lieutenant to attend to his Effects, agreeable to the President's Orders, and soon after his Demise, his Body was committed to the Deep, with the usual Ceremonies.

Tybee Light House at Noon bore North North West, Twenty Leagues Distance.

Latitude observed  $31^{\circ}.02' N.^{\circ}$

Longitude Account  $81.00 W.$

[HS of Pa. NDA photostat.]

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Extract from journal of James Pity, U. S. Frigate *Constitution*, 23 July 1798, Monday

Steady Breezes fine & Pleasant Weather.

At 8 P. M. Took my departure from Boston Light House bearing W.  $\frac{1}{2}$  N.  $3\frac{1}{2}$  Leagues dist<sup>t</sup> Middle part fresh Breezes and clear Weather at 4 A. M. call<sup>d</sup> all Hands sent down T. Gall<sup>t</sup> Yards Small Sails & booms out of the Tops. Sett up the Stays and Rigging fore and aft. at Eight Spoke Brig<sup>t</sup> from Boston bound to Barbadoes, Tho<sup>t</sup> Emery Gates Com<sup>t</sup> at 9. Wore Ship to Eastw<sup>d</sup> and let one Reef out of Top Sails. Set the fore Sail at 10 D<sup>o</sup> Sett y<sup>d</sup> Gibb & M<sup>t</sup> Top Mast Stay Sail

[Latitude observed  $42.04 N^{\circ}$ ]

117 miles 6 fath<sup>s</sup> per log from Boston Light House.

Bearing & Dist. from Cape Cod at Noon N<sup>o</sup> 8.5 miles W.

[NDA.]

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To Benjamin Lincoln, Collector, Boston, from Secretary Pickering

[PHILADELPHIA,]

Department of State July 24, 1798.

BENJAMIN LINCOLN Esq<sup>t</sup>

Collector of the Port of Boston —

SIR, Last Saturday Captain Anthony wrote me a letter enclosing two others, one from John Coffin Jones Esq<sup>t</sup> the other from M<sup>t</sup> Hays. He entreated an answer by that days post. To prevent any delay, I immediately made out duplicate commissions for two private armed vessels of M<sup>t</sup> Jones's which had sailed from Boston on the 12<sup>th</sup> instant, two or three days before the arrival of the commissions which I had transmitted to you; in expectation that the commissions might meet with the vessels at Gibraltar And that there might be, as far as practicable a literal conformity with the law, I sent duplicate bonds also, to be executed by the owner or owners and their Sureties at Boston, and then transmitted to John Gavino Esq<sup>t</sup> American Consul at Gibraltar, before whom the captains were to sign and seal the bonds, which were then to be returned to me. And lest these duplicate bonds might miscarry, I sent a third for each vessel to M<sup>t</sup> Jones, to be executed by him (and the other owners if there were any) and the sureties, and then returned to me. — This, I trusted, would effect the object of the law respecting the giving of bond — viz. to ensure an observance of the conditions set forth in the law, in the exercise of the powers granted by the commission to private armed Ships. I

the less hesitated to adopt this course, as a case had before occurred where the *owner* of the private armed ship was in London, and his ship in Philadelphia; and consequently a *literal* compliance with the law was impossible; nevertheless, with the President's express approbation, a commission was issued, the *agent* of the owner giving bond with sureties in his behalf.

On this same principle, that the security of commerce may not fail thro' a *formality* and a *literal* compliance with the terms of the law, when its *true object* could otherwise be effectually attained, I have transmitted to M<sup>r</sup> King, our Minister in London, blank commissions, bonds and instructions, to be issued to any American vessels who should arm in the British ports in Europe. This was important in two points of view — that there would be a considerable number of our vessels there, which sailed before the Act authorizing such commissions was passed — and that many would have afterwards sailed un-armed from our ports, from the impossibility of procuring cannon, at present, in the United States. — I shall continue to send commissions &c. to M<sup>r</sup> King, a few by each conveyance, until I think the supply sufficient for every probably call.

I shall probably send a few sets of commissions, bonds and instructions to M<sup>r</sup> Smith at Lisbon. These provisions however should not prevent the arming of any of our vessels at home, where the means are attainable.

Upon the whole — where the owners and captains of private armed vessels are on the Spot, the bonds should be signed by them and their Sureties: but if either or both be absent, and their agent or agents, in their stead, with compleat sureties, will execute the bonds. — I should not hesitate to issue the commissions. I am &c.

TIMOTHY PICKERING.

P. S. This detail is what, as mentioned in my letter to J. C. Jones, I intended to give you. Your letter to the Secretary of the Treasury of July 17<sup>th</sup> on this subject has been sent to me; and the foregoing you will have the goodness to consider as an answer.

[SDA. Dom. L., Vol. 11.]

To Mr. Létombe, late Consul General of French Republic, from Secretary Pickering

[PHILADELPHIA,]

Department of State July 24. 1798.

M<sup>r</sup> LÉTOMBE

SIR, Your letter of this date is before me. M<sup>r</sup> Byrd, the Collector of Norfolk, has not stopped the two flags of truce at that Port, destined for S<sup>t</sup> Domingo, under *pretext* of the *intercourse bill*; but in conformity with his *duty*, under the express injunctions of the act of congress for suspending all commercial intercourse between the United States and the French Dominions.

Upon M<sup>r</sup> Byrd's own application, which was sent me yesterday from the Department of the Treasury, two permits were made out, and are to go in tomorrow's mail, authorizing him to clear out the two flags of truce in question.

I inclose a passport for M. Mozard late consul of the French Republic at Boston, to go to France, with his books, papers and

effects — agreeably to your request of the 21st which I received yesterday.

I had not before heard of any insult having been offered to M<sup>r</sup> Mozard at Boston, or to any persons pertaining to his office. I shall be very sorry if an unprovoked insult or injury has been offered to him or any other French citizen. I am &

TIMOTHY PICKERING.

[SDA. Dom. L., Vol. 11.]

To James Watson, Navy Agent, New York, from Secretary of Navy

[PHILADELPHIA,]

Navy Department, 24<sup>th</sup> July 1798

JAS. WATTSON Esq<sup>r</sup> New York

SIR, Capt. Dale, in the Ship *Ganges* will be off Sandy Hook, on the 26<sup>th</sup> — Will you be so good as to hire a Pilot to put the enclosed Letter on board of him? —

In answer to your favor of the 23<sup>rd</sup> please to purchase all the Copper of the Patent kind Just arrived at New York, and the nails — also all the Six pound Cannon, if they can be had without the fours, the price of the Patent Copper here, is 50 Cents but it is scarce As to Copper Nails & Spikes, I must get those wanted immediately for distant places, at this place — If you can procure every Article of this kind for the Ships at N York It will be desirable — What you cannot procure shall be furnished from hence if you will let me know in season, and the sooner you let me know, the better, as I am about contracting for the quantity — On the 20<sup>th</sup> I directed 2000 D<sup>s</sup> to be remitted you, & on the 21<sup>st</sup> 10,000 D<sup>s</sup> —

I have the honor to be &c.

[NDA. GLB, Vol. 1.]

[Enclosure]

To Captain Richard Dale, U. S. Navy, from Secretary of Navy

NAVY DEPARTMENT,

July 24<sup>th</sup> 1798

Cap<sup>t</sup> RICH<sup>d</sup> DALE

SIR, I have received your favours of the 17<sup>th</sup> & 22<sup>nd</sup> Instant. The Ship *Baltimore* Cap<sup>t</sup> Philips from Baltimore will I expect be ready for Sea by the 1<sup>st</sup> August. — It is intended that She should take your Station, and it is desirable that you should not leave it, untill relieved by the *Baltimore* — This I calculate will be about the 10<sup>th</sup> of August — at all events you may come into Port on the 15<sup>th</sup> — should you not sooner fall in with the *Baltimore*, or receive certain Accounts that she is out. — Whenever either of these events happen you will please to return into Port — As to getting a Supply of Water, you will Judge what step will be best for you to pursue on that subject — If your Water will not last 'till the 15<sup>th</sup> August, you should get a Supply. —

I have the honor to be &c.

[NDA. OSW, Vol. 1.]

To Captain John W. Leonard, Revenue Cutter *Governor Jay*, from Secretary of Navy

[PHILADELPHIA,]

Navy Department 24<sup>th</sup> July 1798

Cap<sup>t</sup> JOHN W. LEONARD

of the Cutter *Gov. Jay* New York

SIR I have your Letter of the 23<sup>rd</sup> Instant. By an Arrangement of the Treasury department the Cutters are to be fitted under his direction for Sea, and then turned over to my department.

He informed me that your Cutter would be ready the 20<sup>th</sup> Instant — and on the 19<sup>th</sup> I wrote to you, and enclosed your Instructions for a Cruise. — It does not appear by your Letter now before me, that you had received mine — I am sorry to find that the information I received from the Secretary of the Treasury respecting the time you would be ready was not correct — and that you do not expect ~~that~~ your Guns before the 1<sup>st</sup> of August — Pray keep me advised of your progress, that I may certainly know when to send you other Instructions for your Cruise. —

Enclosed you will receive the Uniform adopted in the Navy.

I have the honor to be &c.

[NDA. OSW, Vol. 1.]

To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

Navy Department 24<sup>th</sup> July 1798

JER<sup>h</sup> YELLOTT Esq<sup>r</sup> Balt<sup>a</sup>

SIR The Slops are furnished by the Public to the Purser, who ought to receive with them, an Invoice of the prices at which he is to sell them to the men — The Prices ought to be enough to cover the whole actual expense of procuring them — I am sorry this part of your Letter was not instantly attended to, I fear you will be perplexed to provide them in time for the *Baltimore*

You will be so good as to make arrangements for preparing them for the *Montezuma* also — They could be furnished from hence, but I think it no more than Justice, that each Town where Ships are fitted, should supply as much as it can —

Enclosed you have a List of Articles — deemed necessary for each Ship —

Estimate of Slops for a Ship of 20 Guns —

- 70 Wool Hatts
- 100 Single Blanketts
- 70 Outside Jackets (of Blue Cloth lined)
- 100 Inside Ditto (of Swanskin)
- 70 pairs of Woolen Trousers
- 70 pr Ravens Duck do
- 100 Check Shirts
- 70 Raven's Duck Frocks
- 70 pr Worsted Stockings
- 100 pr Strong Shoes.—
- 70 Bandana Handkfs.
- 70 pr. Drawers (Flannel)
- 100 Woolen Caps
- 50 Beds or Mattrasses
- 150 lbs. of Tobacco

[NDA. GLB, Vol. 1.]

Extract from journal of James Pity, U. S. Frigate *Constitution*, 24 July 1798, Tuesday

First Part this 24 Hours Fresh Breezes and Fair Weather. at 8 P.M. Reef<sup>t</sup> Top Sails Handed Jibb and Stay Sails. a 8. hauld up S. East and  $\propto$  Ship to the West<sup>d</sup>

Considerable Swell f<sup>m</sup> W. N. W.

Latter part this 24 hours Squally with Rain

[Latitude observed 41° 17' N<sup>o</sup>]

Ship Sails remarkably, & Well and Works Easy

Bearing & Dis<sup>t</sup> fm Georges Banks, N<sup>o</sup> 81. W. 147<sup>m</sup>

[NDA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
24 July 1798, Tuesday

The Wind and Weather very much the same as Yesterday, but accompanied with more Rain. Stood towards Tybee Light House, into Twelve Fathoms Water, and off again to seventeen Fathoms, which we had at Noon, over a Bottom of coarse reddish Sand. — I gave Directions for six Fires at least to be made in Pots on the Birth Deck, to purify the Air, and dry the Apartments of the People. No Vessels in Sight, some thing remarkable for so many Days, but a convincing Proof, that the foreign Trade of Georgia, is by no Means equal to that of the Atlantic States to the Northward of it. Tybee Light House at Noon bore West B. North half North, 15 Leagues Distance, and that of Charleston, North 21 Leagues Distance.

Latitude observed 31° 37' N<sup>o</sup>

Longitude Account 80.40 W.

[HS of PA., NDA photostat.]

To Secretary of Treasury from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 25 July 1798. —

SEC<sup>y</sup> of TREASURY

SIR Be pleased to direct, that one hundred & Eleven Dollars, be paid to Joseph Brussels, for Pilotage of the *United States* Frigate, down to the Capes of Delaware, & Twenty six days demurrage — as p. acc<sup>t</sup> & cer<sup>t</sup> of Cap<sup>t</sup> Barry enclosed. —

[NDA. Req. on US T, 1798-1803.]

To Tench Francis, Purveyor, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 25 July. 1798

TENCH FRANCIS

SIR, The following Articles are required for the Ship *Baltimore*. You will please to procure Them of the *best Quality* as speedily as possible, and deliver them to Cap<sup>t</sup> Robert Gill, that they may be forwarded.

- 2 Long Spy Glasses
- 1 Short D<sup>o</sup> for the Mast head.
- 1 Good Night Glass

I am Sir &<sup>c</sup>

[NDA. Req on US T, 1798-1803.]

[25 July, 1798.]

Declaration of Thomas Smith, master of Schooner *Lemmon*

June 18th, 1798, sailed from Beverly, in the State of Massachusetts, in the schooner *Lemmon*, whereof Thomas Smith was master, for the West Indies, — That on the 25th day of July following we were short of water, by our watercasks proving leaky; in consequence of which we made the best of our way to the main to get a supply of water; that at 10 o'clock the same day we saw two armed boats coming towards us, and as they came within gun-shot began to fire on the schooner *Lemmon* unceasingly, and obliged us to surrender, not having ammunition or fire-arms on board said schooner to defend ourselves; that they then asked captain Smith where he was bound, his reply was to Curracoa. Capt. Loran, of the privateer *La Raquir National* told him that he was a damned liar, and with other threats, struck him several times in the face, and pointed a loaded pistol to destroy him, with opprobrious language, at the same time, beating him and his people with unfriendly treatment, which they conceived should be observed in the line of neutrality.

They then took charge of the said schooner *Lemmon*, taking out all his people, except himself and cabin-boy. They then ordered her, with a prize-master and a part of the said privateers crew, for Curracoa, where they arrived on the 29th of July last, where he now remains for trial or acquittance.

The said capture was made by a privateer as before mentioned; of *Curracoa*, and fitted out and owned by *Burghers of Curracoa*, in violation of existing treaties between America, France, and Holland.

The said schooner *Lemmon*'s papers were equipped for the island of Curracoa, and, that her cargo consisted of nothing but provisions, manufactured in America, to which I declare this to be the truth, as witness my hand, Curracoa, this 29th August, 1798.

THOMAS SMITH.

~~BE~~ I have omitted mentioning the manner in which they boarded us. They came on board of us like savages, driving captain, mate, and people below, making use of their cutlasses and handspikes in such a manner that we were were obliged to ask for quarters.

THOMAS SMITH.

[LC, "Claypoole's American Daily Advertiser" (Phila.), 24 Sept. 1798.]

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Extract from journal of James Pity, U. S. Frigate *Constitution*,  
25 July 1798, Wednesday

First part this 24 Hours. Hazy. W<sup>m</sup> with light Showers Rain all hands employ'd Stow<sup>d</sup> Booms Anchors. &c at 2 P. M. Sett the Main Sail at 4 D<sup>o</sup> beat to Quarters Station'd the Men and Exercized them at the Guns.  $\overline{A}$  Ship to Westw<sup>d</sup> handed the Main Stay Sail and haul'd the Mizzen up. handed Mizzen Stay Sail & Clew'd up the Mizzen Top Sail at 12  $\overline{A}$  Ship to East<sup>d</sup> at 2 Sett mizen Top Sail at 5. A.M. Sett Main Top Mast Stay Sail and Jibb a 6. Sett Mizzen Top

Mast Stay Sail a 8 Lett out all Reefs of T. Sails and sett all Stay Sails at Merid<sup>n</sup> han<sup>d</sup> Sprit Sail & Sprit sail Top Sails very large.

Shark close along side of us. NO. OB.

Bearing & Dist fm Georges Banks 73 West. 198 M.

[NDA.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
25 July 1798, Wednesday

The first of these Twenty four Hours very uncertain Weather with Squalls of Wind from the Southward, and Rain, brought the Ship under the Main, and Fore top Sails close reefed.

At 4 AM the Weather appeared more settled, made Sail, and at 11 AM, saw the Land, and Light House of Charleston bearing West  $\frac{3}{4}$  North between five and six Leagues Distance, Depth of Water eight Fathoms. Brought to with two Shot the Brig *Commerce*, bound to Cadiz, which had left the Bar at half past 9 AM, and informed us, the other Vessels, that were in Sight, came out in Company with her, and that they belonged to Charleston. Exercised Great Guns, and small Arms. Saw a small Vessel coming down, which I take for, a Pilot Boat.

Latitude observed 32° 40' N°

Longitude Account 80.20 W.

[HS of Pa. NDA photostat.]

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To Captain Robert Wharton from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 26 July 1798*

Capt<sup>t</sup> ROB<sup>t</sup> WHARTON

*Commanding the Volunteer Cavalry*

SIR Being informed that the French Prisoners on their way to Lancaster, under a Small Guard, have exhibited proofs of an unruly & mutinous Spirit, & being apprehensive they may overpower the guard, I have the honor to request the favor of a detachment from your Troop of Horse, to follow the Prisoners, and see them safe in Lancaster Goal — I presume that 10 or 12 Troopers under the command of an officer or noncommissioned officer will be sufficient for this duty —

I have the honor to be &c<sup>o</sup>

[NDA. GLB, Vol. 1.]

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To Robert Oliver, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 26 July. 1798*

ROBERT OLIVER *Baltimore*

SIR, I am honored with your Letter of 24<sup>th</sup> and enclose you an order for all or any part of the Timber in the Navy Yard at Bal<sup>t</sup> — except the live oak Timber, which I presume you will not want — and which will be wanted immediately at Norfolk, for the Frigate to be finished there. Please to appoint one or two Men of Character to value the



Timber, & send the Valuation to me. I hope you will sweep the Yard. —

Copper Bolts shall be prepared here, & forwarded to you, as soon as they can be prepared, for both your Ships. I fear it may be ten days before they can be sent off. —

All the Ships authorized by Acts of Congress between 20 & 24 Guns are engaged. To comply with the Law, those you are building must not exceed 18 Guns — They may be, and had better be on the main Deck — Hereafter a few more Guns may be mounted — The Ships I presume will be strong enough for 9 or 12 pounders — If you want Copper Spikes & Nails — that is, if you can not get them in Balt<sup>l</sup> let me know early and I will have them furnished — but what can be furnished by Balt<sup>o</sup>, for many reasons ought not to be got elsewhere — Is it intended that the Merchants furnish Guns? If so, let me know, that I may send a Model — We are endeavouring to adopt in the Navy, the Guns most useful by Nations of more Experience —

I should be glad you would continue to recommend such Men as you think will do honor to the Navy — There are a Number of Applicants, but the greater the Choice the better —

Altho' I have mentioned an Exception of live Oak in my order — yet if you can not do without It, you must have that also. —

[NDA. GLB, Vol. 1.]

Extract from journal of James Pity, U. S. Frigate *Constitution*, 26 July 1798, Thursday

First part this 24 hours Cloudy Weather at 4 P. M. Exercized y<sup>o</sup> Men at the Guns, & Sett the Main Sail a 7 P. M. Hauld up the Main Sail handed M. Top & Mizen Top mast Stay Sail Reef'd top Sails and furld Main Sail Middle part Calm. Swell from the S. W. at 8 A. M. call<sup>d</sup> all Hands & Made Sail D<sup>o</sup> Saw Strange Sail to the East<sup>d</sup> gave her Chase. Latter part Light Airs Inclinable to a Calm.

[Latitude observed 40°. 29' N<sup>o</sup>]

[NDA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*, 26 July 1798, Thursday

Moderate Breezes from South Westward, and warm Weather. At 1 PM spoke the Ship *Polly*, from Charleston bound to Cadiz, as also the Brig *Harriot* from same Place bound to Jamaica. At 3 PM M<sup>r</sup> Delany a Pilot, came from Charleston along Side in his Boat; I invited him on Board, and delivered him the Muster Roll, and Register of the Crew, recruiting Officer's Instructions, and their Accounts, forming with a Letter to the Secretary of War, a Packet for that Officer, which I put under Cover to the Collector of Customs at Charleston, and requested he would forward them on by first Post. M<sup>r</sup> Delany informed me, that there was a Dispatch Boat at Charleston with Letters from Government for me, I shall consequently keep as near to the Bar, as it is prudent, or as Circumstances will admit, in Order to get them as early as possible. I desired Delany to inform the Master of the Dispatch Boat, that I would hoist a United States Jack at the Fore Top Mast Head, whenever I stretched in Shore, and to request of the Master of the Boat to hoist his Colours, when he saw the Frigate. At 5 PM saw a Sail to the Eastward, gave Chace,

at 7 Ditto, it being dark, and the Schooner being evidently an American from all Appearances, I hawled my Wind to the Southward. At 6 AM Gave Chace to a Schooner, at half past 7 Ditto brought her to, she proved to be the *Republican* from Savannah bound to Boston, left the Tybee yesterday at Noon, and had neither seen or heard of any Cruizers. Exercised Pettee Officers, and Seamen at small Arms. Charleston Bar at Noon bore North West, seven Leagues Distance, Depth of Water 13 Fathoms over a Bottom of black and white Sand, that was pretty fine.

Latitude observed 32°.28' N°.

Longitude Account 80.23 W.

[HS of Pa. NDA photostat.]

To Secretary of Treasury from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> 27. July 1798

SEC<sup>y</sup> OF TREASURY

SIR, It appears to Me, that the Revenue Cutters which are to be employed in the Navy Service, should be allowed Men in proportion to the Number of their Guns — and that five Men for each Gun — exclusive of officers would be the proper Allowance.

In the Navy Service, there are three descriptions of Men — Able Seamen at 17 dollars per Month — Ordinary Seamen who are in Fact Landsmen, at ten dollars per Month — and Marines at six dollars per month. I think the Laws relative to the Revenue Cutter, permit you to give twenty dollars, for all the Men employed on board of them. If Landsmen or ordinary Seamen are employed on the same Terms as able Seamen, the latter will be discontented and the former will be paid too much — If you employ None but able Seamen, the Merchant Service or the Navy Service will suffer. permit Me then, without presuming to dictate, to suggest the propriety of adopting something like the Navy System, in manning the Cutters. I am under the strongest Conviction, that if you direct that one half of the Men in each Cutter be able Seamen — one quarter ordinary Seamen, & the remaining quarter to be Landsmen & Boys, these Vessels will be sufficiently manned and there will, besides other Advantages, be a great Saving to the Public by such a Regulation. In the Navy, I intend to have four descriptions of Men — Able Seamen at 17 dollars p. month. Ordinary Seamen — such Men as have made a few voyages but are not Seamen, and better than Landsmen at 14 dollars per Month — Landsmen, who are nearly Seamen at 10 Dollars per Month — Marines, at 6 doll's per Month — But you can have none of the latter description in the Cutters. —

Cap<sup>t</sup> Leonard in the 14 Gun Cutter at New York, wants Nothing but Men, to enable him to proceed on a Cruise. He writes to Me, for Instructions on the subject of his Men, but these I have informed him, he is to receive from you. Will you be pleased to attend as early as convenient to this business. He will probably want a Gunner, a Carpenter & a Boatswain — and might probably obtain Them at 20 dollars per Month.

I am &c

[NDA. Req. on US T, 1798-1803.]

Extract from journal of James Pity, U. S. Frigate *Constitution*, 27 July 1798, Friday

First part this 24 hours, Light Winds Inclinable to Calms. Could not come up with the Vessell in chace on Acc<sup>t</sup> of Small Winds at 3 P. M. exercised the men at the Guns. They come on Bravely. At 8 A. M. ~~AK~~ Ship at 9 Wore Ship to the Westward Sett T. Gall<sup>t</sup> Sails. Sent up Royal Yards & Sails. Latter Part clear and Pleasant People employ'd at Sundry Jobbs.

[Latitude observed 40.19 N<sup>o</sup>]

[NDA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*, 27 July 1798, Friday

Pleasant Breezes, and charming Weather, at 2 PM made the Land, at 5 Ditto M<sup>r</sup> Barnes, a Pilot dispatched as Express to me, by William Pennock, Esquire, Naval Agent, Norfolk, arrived along Side, and delivered me Letters from Government, to which I immediately paid Attention.

At half past 5 Ditto M<sup>r</sup> Delany in a Pilot Boat from Norfolk, brought a Number of Gentlemen along Side from Charleston to visit the Ship (and various Presents of Fruit, &c.) which I showed them throughout with Pleasure.

At half past 6 the Gentlemen left us giving three Cheers, which we returned, and stood to the Southward under easy Sail, and at 3 AM wore and stood to the Northward, employed making up my Dispatches for the Secretary of the Navy, which I delivered about Noon, and dispatched M<sup>r</sup> Barnes for Norfolk in his Pilot Boat. Depth of Water 12 Fathoms, the Light House bearing North and lee West, seven Leagues Distance. Spoke the Revenue armed Brig on a Cruize, belonging to Charleston, Capt<sup>n</sup> Cochran.

Latitude observed 32°.25'N<sup>o</sup>

Longitude Account 80.23 W.

[HS of Pa. NDA photostat]

#### Letter to the first Minister of State

MADRID July 28<sup>th</sup> 1798.

To the first MINISTER OF STATE.

SIR, I find it expedient to repeat in this paper the representation which I had the honour to make to your Excellency in my conference this day; that the crew of the American Ship *Eliza*, captain Neal Mac Neal late master, captured by a French Privateer and carried into Port Passage, have been marched as prisoners of war into France; to reclaim the liberation of those persons as citizens of the United States of America; and to request that the most peremptory orders may be expedited to prevent a repetition of similar subjects of complaint for the future. On this occasion I owe it as a tribute to truth and justice to declare, that by the reports made to me in several late instances, the Governors and Commanders for his catholic Majesty in many of the Ports of Spain, have manifested a sincere desire to protect as far as they were able the Citizens of the United States

of America and their property against the atrocious proceedings of some French Consuls and French Privateers.

I am

[NOTE.—It is believed that this letter was written by David Humphreys, although the manuscript does not contain his signature.]

[S.D.A. Disp. Spain, Bk 4, Humphreys.]

To John Chaplin, Jr., and others, Beaufort, South Carolina, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 28<sup>th</sup> July 1798*

JN<sup>o</sup> CHAPLIN JR. Esq<sup>r</sup> & others, *Beaufort South Carolina*

GENT<sup>l</sup> The Secretary of War has communicated to me, your Letter to him of the 7<sup>th</sup> Instant

So much of it, as relates to the General defence of your part of the Country, he will doubtless attend to — That part of it, which relates to Gallies falls within the Business of my Department. —

The President is authorized to procure to be built — Ten Gallies — Six of these are preparing — 2 at Charleston, 2 in North Carolina, and two in Georgia, — One will be got here, and probably, two at Newport, Rhode Island — Under such circumstances, I can only authorize the Building of one in your place, — And I have the honor to request, that you, Gentlemen, or any one of you who may be appointed by the others — will immediately contract for this one on the part of the Public to be furnished as early as possible, — She ought to be coppered, & I shall rely that Copper can be had with you, and shall take no measures to furnish it — I enclose the dimensions of the Galleys already contracted for — You may, if you please vary these dimensions, so as to make the Beam 15 instead of 13½ feet — The estimated expense you will observe is 2279 Dollars, exclusive of Copper & Military Stores — The Military Stores shall be forwarded to you in full time for the Galley —

I have requested the Secretary of the Treasury to remit to you, directed to John Chaplin Jr. Esq<sup>r</sup> 1500 Dollars to begin with, and the moment I have your estimate of the cost of the Galley the residue shall be remitted —

You will observe that I rely on you for every thing relating to the Galley, to her completion — It is too far to furnish from hence, any articles you may want, in time, unless I now knew what these articles were —

As to your liberal and public spirited offer to build Galleys, and loan them to the public &c on the condition, that they shall be manned and armed at public expense, and employed solely in the district; I am very sorry that the Laws will not authorize the President to accede to all the conditions — I have enclosed the Law on that subject, by which you will perceive that he is authorized to accept of any number of vessels as a free Gift to the Public, — Your offer is to loan them during the War —

If the Citizens of Beaufort will build, any Number of Galleys not exceeding three, and will make a free Gift of them to the public, they will be manned, armed, and maintained by the public — And it is

highly probable, they will be employed entirely in your district, but I am not authorized by the Law to condition that they shall be employed no where else — When I am informed of the Number of Gallies you furnish on the Terms authorized by the Law, and the time they will be ready, I will take measures to send you by that time, all the arms and military stores necessary, and to provide the officers & Men — Please to recommend proper officers for the Galley to be built for the Public, as well as those you may undertake at the expense of the Citizens —

I wish very sincerely it was in my power to deal on the part of the public, more liberally with you —

I have the honor to be Gent<sup>l</sup> &c<sup>s</sup>

[NDA. GLB, Vol. 1.]

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To Thomas Pinckney, Charleston, South Carolina, from Secretary of the Navy

[PHILADELPHIA,]

Navy Department 28<sup>th</sup> July\* 1798

THO<sup>s</sup> PINCKNEY ESQ<sup>t</sup> Cha<sup>ston</sup> So. Carolina

SIR The Secretary at War, has this day sent me an extract of your Letter to him of the 3<sup>rd</sup> Instant — In answer to which, I take the Liberty to observe, that young Gentlemen of good principles, and reputable connexions, with or without nautical skill, will be received in the Navy as Midshipmen, at 19 D<sup>s</sup> per month. By the regulations heretofore established, two Midshipmen only were allowed to a Ship of 20 Guns — The number was not sufficient; and the President having authority, the number is doubled.

There is a Brig preparing at Charleston for public service, under the direction of M<sup>r</sup> Simons. — There ought to be two Midshipmen appointed for this Vessel; and I presume, Six for the ship which the Citizens of Charleston are about building for the public — It would be very agreeable to receive from you, the names of Young Gentlemen for these appointments; who may hereafter render service to their Country in more important Stations.

Midshipmen rank as officers & Gentlemen. Their first promotion will be to the rank of Lieutenant; and on the qualifications & Bravery of the Young Gentlemen, who may now enter the service, will doubtless depend the future usefulness & honor of our Navy. —

I have the honor to be &c<sup>s</sup>

[\*Among letters dated 28 August, in Letter Book.]

[NDA. GLB, Vol. 1.]

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[28 July 1798.]

Master Abraham Outten's account of the capture of Brig *Planter* by French cruiser

Abraham Outten of Newbern Craven County and State of North Carolina Master and Commander of the Brig *Planter* of said Newbern deposeth and saith That on the 23rd of July 1798, he set sail in said Brig from the port of Green Island in the Island of Jamaica bound for Newbern aforesaid. — That on the 28<sup>th</sup> early in the morning he saw Cape Antonia on the West end of Cuba and about 9 o'clock A. M.

the said Cape bearing S. E. distant 4 or 5 leagues was brought to by a french cruizer which made prize of him and put on board a prize Master and Six hands — That the prize Master & hands took charge of his Vessel put her about & stood in for the land. The breeze being light off shore the Brig continued to ply to windward and about 6 o'clock p. m. Cape Antonia then bearing about E by N. 2½ leagues distant and the Cruizer which had also continued to ply to Windward being about 1½ leagues distant from the Brig three sails were discovered to the Southward. That on sight of these Sail, the prize Master Supposing them to be British appeared to be much alarmed and gave orders to put the Brig about — That while the prize Master and hands were engaged in putting the Vessel about this deponent with the assistance of some of his Crew seized their Arms and after a short struggle two of them threw themselves overboard, the rest submitted and this deponent retook his vessel, — This deponent then ordered out the boat to save the two who were in the Water, but a heavy Squall striking them sank the boat and put it out of his power to save them. This deponent then made the best of his way to Newbern his destined port where he arrived the 16<sup>th</sup> August following bringing with him the prize Master and four hands who were by order of a Majistrate Committed to Newbern Jail where they now remain — The prize Master is a white man, one of the hands is a Mulatto, the rest are black — The prize Master says that two of the blacks are Spanish Slaves. — They have no Commission or any other paper to shew by what authority they acted — The prisoners call themselves and are committed by the following names — The prize Master Pon Fricon, the Mulatto Sique Antonio, the blacks John Nicholas, Jean Francois. & Charley Lewis. — The two last are those said to be Slaves.

ABRAHAM OUTTEN

[SDA. Misc. L., Jan.-Aug. 1798.]

To Henry William Desaussure, Charleston, agent for galleys, from  
Secretary of Navy

[PHILADELPHIA,]

Navy Department July 28<sup>th</sup> 1798

H<sup>r</sup> W<sup>m</sup> DESAUSSURE Esq<sup>r</sup> Charleston

SIR I have this day received from the Department of the Treasury (the Secretary of the Treasury having been some time absent) your favours to him of the 29 & 30<sup>th</sup> June & 13<sup>th</sup> July —

As you have proceeded so far in the business of the Galleys, I hope you will continue your agency till their completion. — If this should not be agreeable to you, you will please in that case to turn over the Business, to M<sup>r</sup> Crafts, the Gentleman you so strongly recommend — I have requested the Treasury to remit you two thousand five hundred Dollars, and further remittance shall be made you when I am informed that it is necessary — Be pleased to accompany your requisition, with an estimate of the whole sum wanted to complete the Galleys —

It appears by Humphreys' Estimate that 2279 Dollars would be about the Cost of each Galley and that 1300 Dollars would be

necessary to provide Military Stores &c\* It is unfortunate that I cannot judge what Military Stores can be supplied at Charleston — In this state of things, and that delay may be avoided, — I shall leave the Article, powder, to be procured by you, and shall send on every other article from hence, — included in the estimate — I observe by the Correspondence between you, and the Secretary of the Treasury, that 24 pound cannon have been sent on by the Secretary at War — The Secretary at War confirms this, & altho their arrival is not announced I shall presume they will arrive, and only send the other articles as follows —

Brass Howitzers  
Musketts complete  
Pikes  
Rammers, Spunges, Ladles, & Worms  
Cannon, Ball, & Grape Shott—

The President is absent at Massachusetts, or I have no doubt, I should now be able to announce to you, the appointments as Captains of the Galleys, the two Gentlemen so respectably recommended — I shall immediately transmit their Names to the President, and in Ten days I take for granted I shall be authorized to send on their appointments. —

The Acts of Congress, authorize the procurement of 24 vessels, carrying from 18 to 32 Guns & upwards — The funds are, an insufficient sum appropriated of public money, and the public Spirit of the Citizens, who are to be paid in 6 p.C<sup>t</sup> Stock for their advances. — I have already contracted to the full amount of the public money and with the aid of Private subscriptions all the vessels are preparing, but three of 18 Guns and one of 32 — for one of the three, I have relyed partly on the public spirit of Charleston — I have before written to M<sup>r</sup> Simmonds, the Collector, on this subject — I have proposed that a vessel said to be well calculated, for a cruiser, building by W<sup>m</sup> Pritchard, should be purchased by the Citizens — and if their subscriptions did not amount to enough, with the aid of Sails, Rigging, Guns &c\* belonging to the public, and used on board a vessel of Paul Pritchard's, & Copper which has been sent for sheathing that vessel, I mentioned that if wanted, public money should be supplied towards the object — I hope this matter has been taken up and that the vessel is in forwardness — If the Merchants engage in it, they should appoint one or more persons, to transact the whole Business, to completing the Ship for receiving her men, Guns, & Military, & other Stores which, upon hearing from them, I will take immediate arrangements for supplying in due time.

I have the honor to be &c\*

P. S. I am glad you increased the size of one of the Galleys I wish you had done so with both —

[NDA. GLB, Vol. 1.]

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To Secretary Pickering from Messrs. William and Thomas Walter, Boston

[July 28, 1798.]

The Hon'ble TIMOTHY PICKERING Esq<sup>r</sup>

SIR Three weeks since the Ship *Merchant* John Traill commander belonging to us, sailed for London, where we have order'd her to be

armed, and have asked Gen<sup>l</sup> Lincoln, the Collector for this District, in what way we can furnish Cap. Traill with a Commission agreeable to the late Act of Congress, authorising the arming of Merchant Vessels, or whether one can be obtained in London, but as the General cannot give us the Information, we have taken this liberty, respectfully to beg you will have the goodness to acquaint us, as, if we have to send on one, we shall have but little time to do it, that it may reach him in Season.

With very great consideration we are

Sir

Your most obed<sup>t</sup> Servants.

WM. & THO. WALTER.

Boston 28<sup>th</sup> July 1798.

Philadelphia.

[SDA. Misc. L., Jan.–Aug. 1798.]

Extract from the journal of Lieutenant John Mullowny, U. S. Frigate *United States*,  
28 July 1798

Foggy weather

Fired a signal gun for the *Delaware*

A 3 P. M. Fog cleared. See the *Delaware*, N. W. distance 1 mile

Shortened sail for the *Delaware*

At 10 P. M. sounded, no bottom

Fired a gun every hour which was ans<sup>d</sup> by the *Delaware*

Frequently sounded, no ground.

[Lat<sup>de</sup> P<sup>r</sup> acc<sup>t</sup> 41.8]

[NA.]

Extract from journal of James Pity, U. S. Frigate *Constitution*,  
28 July 1798, Saturday

First part this 24 hours light Airs & Clear W<sup>r</sup> a 4. Beat to Quarters and Exercized the Guns.

Middle Part Thick and foggy Weather.

Latter Hazy and then clear at Intervals.

At 10 Clock sounded in 47. fathoms Water.

a 12 sounded in 40 fath<sup>ms</sup>

No Observation.

[NDA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
28 July 1798, Saturday

Moderate Breezes from the Southward, and a small Swell from the South East; stood in to 6 Fathoms Water, in fair Sight of the City of Charleston, the Shipping at the Wharfs, and within two Miles of the Bar. A Pilot Boat soon after came along Side, and by her I forwarded a Letter to the Collector of the Port, and another to Mess<sup>rs</sup> Robert Hazlehurst and Company, &c. &c. &c. in Reply to an Application made by a Number of Merchants of Charleston to me for a Convoy for their Vessels from Havannah; I referred them to Government, as by my Instructions I had no Power to leave the Coast on



such Business. At half past 6 saw a Sail to the Eastward; gave Chace, and at half past 7 Ditto, brought to with a Shot a Brig in Ballast from Hallifax, bound to Charleston, called the *South Carolina*. This Vessel had been taken by the *Thetis* (an English Frigate) on her Passage Home from the Havannah, and her cargo landed at Hallifax. At 5 AM saw a Sail, gave Chace and at 6 Ditto spoke a Ship from Charleston bound to Martinica. At 8 Ditto discovered another Sail, gave Chance, and at 10 spoke the Brig *Melony* of New York from Savannah, bound Home; the Master informed, that he had neither seen, or heard of any French Cruizers on the Coast. Made six large Fires below, after the Apartments of the Crew were washed &c. &c. At half past 11 AM saw a Sail in the Southern Board, to which I gave Chace, and at Noon Charleston Bar bore West North West, fifteen Leagues Distance, Depth of Water Thirty two Fathoms, over a Botton of dark fine Sand.

Latitude observed  $32^{\circ}.27'$  North

Longitude Account  $79.50$  W.

[HS of Pa. NDA photostat.]

[28 or 29 July, 1798.]

Sworn statement of John Pearsall relative to capture of Ship *Friendship*  
by French Privateer

#### LAST MAIL

*City of New-York, ss.*

Personally appeared before me, GABRIEL FURMAN, Esq.; one of the Aldermen of the city of New-York, John Pearsall, of the state of New-York, Mariner, son of William Pearsall, Queen's County, Long Island, who being duly sworn on the Evangelists of Almighty God, doth depose and say, that on the 7th of July, 1798, he sailed from New-York, in the ship *Friendship*, of Boston, Capt. Brown, that on the 28th or 29th of the same month the said vessel was captured by a French privateer, in lat. 29, to the best of his knowledge and belief; that about four days after he the said John Pearsall with others, were put on board the American sloop *Lark*, belonging to Philadelphia, commanded by capt. Adams: that on the 17th of August, the said deponent and the above eight persons were forcibly taken out of the said sloop *Lark*, by a boat's crew of the British ship *Hannibal*, carrying 74 guns, commanded by capt. Smith, who, notwithstanding, that the said Deponent and five others had American protections, in due form, paid not the least attention to them, nor would even condescend to look at them: that on the 12th November, while the above mentioned ship the *Hannibal*, was lying on the vicinity of Kingston (Jamaica,) the said deponent about 10 o'clock in the evening swam on shore at the imminent danger of his life, and that at that time, the following American citizens all of whom had protections, were detained on board, viz. Earl Stephens of Massachusetts, John Lewis of New-Haven and Thomas Williams of New-York, that your deponent the day after his escape from the *Hannibal*, shipped on board the brig *Lively* of Philadelphia, capt. Stewart; and that he arrived at the port of Philadelphia about the 14th of February last; from

whence he soon after proceeded to this city, and farther this dependent saith not.

JOHN PEARSALL.

Sworn before me, this 9th March, 1799.

GABRIEL FURMAN, *Alderman*.

[LC, "Independent Chronicle" (Mass.), March 14–18, 1799, p. 42.]

[29 July, 1798.]

Extract from H. M. Sloop *Musketo's* log book—encounter with American Brig *Unanimity*, Captain Cochran

*Nassau* (N. P.) Aug. 28.

On Saturday arrived here from convoying two homeward bound vessels to the latitude of 32, and a cruise, his majesty's sloop *Musketo*, capt. Whyte.

Off the coast of South-Carolina, the *Musketo* had a rencontre with the American revenue brig *Unanimity*, capt. Cochran; respecting which our readers will find ample details in the following extracts.

#### EXTRACT FROM THE *Musketo's* LOG-BOOK

"Nothing remarkable occurred till the 29th July, at 1 P. M. discovered a brig bearing down on us under her topsails. Supposing her to be a cruiser, cleared for action. At 2h. 30m. the brig hauled her wind on the starboard tack, hoisted American colours, and made all sail on the wind. The *Musketo* instantly tacked, fired a gun, and hoisted English colours. At 3, the brig tacked and stood in for the land, bearing W. by S. On passing us, fired a shot a head to bring her to; they paying no attention to this, but making off as fast as possible, capt. Whyte ordered four shot to be fired at them. Tacked and chased the brig. At 5, P. M. the brig was close in with the breakers, off Dewees's Inlet, 22 miles N. of Charleston bar. She then tacked; we did the same; finding that the *Musketo* could completely cut him off from superiority in sailing, tacked again, and wore round for the breakers; instantly followed her, and fired as our guns would bear. The brig returned a broadside, put his helm hard a weather, and run on shore. The *Musketo* being then close on the breakers, and in quarter less three fathoms water, capt. White not having any person on board who had ever been on that part of the coast before, judged it most prudent to hawl the ship off into deeper water. At 5h. 30m. tacked, with intention to stand in, destroy the brig, and if possible save the prisoners, which would have been difficult as the sea was then making a fair roll over her. The man on the mast head called out, a strange sail on the starboard bow, bearing down on us. Supposing it to be a pilot boat, hove to, and made the signal for a pilot. At 6h. 30m. the pilot came alongside, and to capt. Whyte's utter astonishment, informed him, the brig he had driven ashore, was the *Unanimity* of 14 six pounders and 65 men, belonging to the State of South-Carolina, and had sailed that morning from Charleston on a cruise. On board the pilot boat were several gentlemen of respectability who had witnessed the greater part of this day's proceedings."

[LC, "Independent Chronicle" (Mass.), Oct. 1 to 4, 1798, p. 110.]

Extract from the journal of Lieutenant John Mulloony, U. S. Frigate *United States*,  
29 July 1798

Foggy. A 1 P. M. the *Delaware* on the Quarter (lee) dist about 4 Miles.

Reefed Topsails 2 reefs

Stiff breezes

Shortened sail, At M the *Delaware* made signal for a Strange sail being in sight, we answ<sup>d</sup> & made signal to speak her. Clear Ship for action.

[Lat<sup>th</sup> Obs<sup>d</sup> 39.56.]

[NA.]

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Extract from journal of James Pity, U. S. Frigate *Constitution*,  
29 July 1798, Sunday

First part this 24 Hours clear and Moderate a 4 P. M. furld Main Sail at 5 Beat all hands to Quarters At 12. Tack'd Ship to the Northward.

Middle part fresh Breezes & Clear —

At 7 A. M. sounded ground in Twenty five fath<sup>ms</sup> with grey sand intermixd with Shells —

At 8. hove in Stays and Stood Southw<sup>d</sup> & Saw a Ship bear<sup>e</sup> down upon clear'd Ship for Action prov'd to be Ship *Industry* bound to Boston from Turks Island. Tho<sup>s</sup> Lewis & Son owners — at 10 Double Reef Top Sails. Latter part Clear.

[Latitude Observed 40.24]

[NDA.]

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Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
29 July 1798, Sunday

Moderate Breezes from the Southward, and pleasant Westher, at 2 PM spoke the Sail to which I gave Chace the preceding Day at 11 AM as mentioned in the Transactions of that 24 Hours. She proved to be the Ship, *Swift Packet* from Savannah bound to Philadelphia, out twelve Hours. At 6 PM saw a Sail to the Northward at a great Distance, made Sail, and gave Chace; she appeared to be bound to North Carolina from her Course, at half past 7 it being dark, lost Sight of her. Shortened Sail, and hawled up to the Westward, and directed the Course after, according to Depth of Water, standing in to 11 Fathoms, and off to 24 Fathoms; Charleston Bar at Noon bore North North West 8 Leagues Distance, saw a Sail to the Northward, to which I gave Chace.

Latitude observed 32°22' N°

Longitude Account 80.30 W.

[HS of Pa. NDA photostat.]

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To Lieutenant Triplett of Marines from Captain Thomas Truxtun, U. S. Navy

UNITED STATES SHIP *Constellation*  
30<sup>th</sup> July 1798.

SIR, Had I excercised my Authority as the Commander of this Ship, and arrested in all Cases, where many in my Situation would not

have hesitated a Moment, The *Constellation* must 'ere now, have exhibited for the Out set of a Navy, a sad Spectacle indeed, to the People of the United States. But Sir, I have cast a Veil, or Curtain over so many Improprieties, and Neglects from Tenderness, and Delicacy to Gentlemen's Characters, and in Hopes daily of more Attention, and Regularity; that Patience, and temper in me is now nearly exhausted. — As I know full well, that it is much easier to make a deep Wound, than to heal a small one, I have been actuated in my Conduct to you by Principles mild and inherent in my Nature, believing at the same Time, that a little Reflection would induce you to appreciate the Measures I have taken, to make your Duty plain, and easy, and excite you to a more minute Attention thereto. I have hitherto been disappointed, I can no longer continue disobeyed, If I am, Recourse must be had to an Alternative, by no Means pleasant to me, or honorable to you.

I hope therefore, the present will have the desired effect, and in that Hope I remain

Your most Obed<sup>t</sup> humble Serv<sup>t</sup>

THOMAS TRUXTUN.

N. B. Two Vessels were brought to, and spoke last Night, when you was not on Deck. — Under the Orders I gave you, it was as much your Duty, to leave Directions for the Sergeant of the Watch, to call you, as I consider it mine to be called on certain Occasions, by the Officer of the Watch, and not to wait for all Hands to be called, when I deem it unnecessary, in speaking trifling Merchantmen.

T. T.

Lieutenant TRIPLETT of Marines.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

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To Captain James Sever, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy departm<sup>t</sup> July 30. 1798

Cap<sup>t</sup> JOHN [JAMES] SEVER *Boston*

SIR, As it has been impracticable for you to join the Frigate *United States* & Sloop of War *Delaware* on their intended Cruise, I have now to direct that as soon as your Ship and Cutter are ready for Sea, you will in company with her immediately set Sail, and cruise agreeably to the following Instructions. Your Object must be to secure from the depredations of the French Cruisers, the principal Ports of New Hampshire, Massachusetts, and Rhode Island, and pay some Attention to New York, for which Purpose you will consider your Cruising Ground, to extend from about ten or fifteen Leagues Eastward of the East End of Georgia Bank to the West end of Long Island. —

It may not be necessary, that the Cutter and the *Herald* should be constantly close in with each other — the object is to make your small force as useful as possible by affording the greatest Extent of Protection it is capable of — it will be proper however, that you are never at such a distance, as to prevent your affording Protection to each other in case of need. It will be desirable that there should be frequent opportunities of communicating with you, to facilitate which you will

every Ten or 12 days endeavour to appear off New Port, Rhode Island & at such a distance from the town as to be seen, with the Swedish Flag hoisted at your Main top Mast — When any Thing occurs to be communicated to you, it will be done by means of a Pilot Boat from New Port.

Any Prize that you may take you will send into the nearest port of the United States to be proceeded against according to Law — The persons found on board of them must be reported to the Collector of the Port at which they first arrive and be delivered over to the Marshall or some other Civil or Military Officer of the United States — Prizes of force inferior to your own will be divided between the Captors & the United States, those of equal or Superior force go entirely to the Captor. —

Wishing you great Success  
I remain &c

The enclosed Letter for Captn Nicholson is to be delivered only by yourself. —

[NDA. OSW, Vol. 1.]

To President John Adams from Secretary of Navy

[PHILADELPHIA,]  
Navy Department 30<sup>th</sup> July 1798.

JOHN ADAMS Esq<sup>r</sup>  
*President of the United States*

SIR. By Letters previously received from Stephen Higginson Esq<sup>r</sup> of Boston, I had been taught to expect, that both the *Herald* of 20 Guns, and the Boston Cutter of 14 Guns, would have been prepared to join Cap<sup>t</sup> Barry, at Cape Cod, or Nantasket road, about the 20<sup>th</sup> Instant. —

Barry arrived at the place of destination, about the time appointed, but found the Boston Vessels in an unprepared state, and I have reason to conclude from his Letters to me, that he has proceeded with Decatur only, on the expedition to the Islands — This, I believe, is a circumstance, not to be regretted, for from all the information, I can get, there is no probability, that Barry will meet in the West Indies, a force superior to his own. —

At this season of the Year, and during the Months of August & September, & part of October, the British armed-Ships are less alert in the West Indies, than at other times, in consequence of Apprehensions of danger from the Hurricanes.

Some of their Frigates are now in our Ports, as being more secure from the Elements, than the Islands. — Our own force, on our own Coasts, it is not to be doubted, is well known to the French — And having no force in the Islands equal to ours, (except three light Frigates, blocked up by the British at Cape Francois) it is not to be apprehended, that our Coasts will be much molested by their Cruisers — at least for some months to come, unless indeed, they could send a Force from Europe, which is far from being probable — The French Islands having no authorized intercourse with the United States, must depend in a great degree upon Captures for supplies of Bread & Salt meat — Not having much to fear from the British about the Islands, during the Hurricane season, and not daring to send their

Cruisers on our Coasts, it is likely that a greater number of them than usual, will be employed during that season in the Neighbourhood of the Islands. —

The Hurricanes I understand are not so very dangerous, as they are generally believed to be. — It is not oftener than once, in four or five years, that much Injury is done by them, and at such times the danger is partial, and extends not beyond one or two Islands —

Under such circumstances, and impressed with the Opinion, that the American Navy should be taught to disregard problematical dangers; And that our Force should be employed, while the French have but little force, in destroying what they have, and in producing a scarcity of Provisions, and the consequent discontent, flowing from such a source, in their Islands, I have the honor Sir, to submit for your consideration, the following proposed Arrangement. —

To leave the Coast, from the East end of Georges Bank, to Long Island, to be guarded by the *Herald*, Cap<sup>t</sup> Sever of 20 Guns & the Boston Cutter of 14 Guns; From Long Island to Cape Henry by the *Baltimore* of 20 Guns and two Cutters, one of which (of 10 Guns) is now out, and another of 14 Guns will be ready by the end of this Week, to sail from New York; — From Cape Henry to our Southern extremity, by one of the Frigates, and two Cutters, which will proceed from hence to the Southward in a short time. —

This destination, will leave one Frigate, and the Ship *Montezuma* of 20 Guns, as soon as she can be prepared for Sea, which I hope will be by the 20<sup>th</sup> or 25<sup>th</sup> of August, to be employed in any enterprize and these, if you Sir, approve, I would propose to send on a cruise among the Islands, as soon as the latter can be prepared. —

It is likely that Barry & Decatur, will leave the Islands on their return, about the time this second expedition would leave our Coasts — and by the time Barry returns, it is to be presumed, that the *Ganges*, Cap<sup>t</sup> Dale, who must shortly return into Port, to refit, may be prepared to join the other Frigate, which 'till then, will be kept on the Southern Station, in a third expedition to the Islands. —

By keeping up incessant attacks upon the French Cruisers on their own ground, they will in a degree at least be prevented from coming on ours. In about three months our force will be so increased as to admit of more frequent attacks, or attacks with stronger force. —

I have the honor to be

With the Highest respect & esteem

Sir, &c.

[NDA. OSW, Vol. 1.]

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To Captain Samuel Nicholson, U. S. Navy, from Secretary of Navy

PHILADELPHIA,

[Navy Departmen<sup>t</sup> 30 July. 1798]

Cap<sup>t</sup> SAM<sup>l</sup> NICHOLSON

SIR, Cap<sup>t</sup> Sever & Cap<sup>t</sup> Chapman, in the *Herald* and Boston Cutter, being ready for a Cruise, is directed to occupy the cruising Ground pointed out for you, in your Instructions of the 12<sup>th</sup> Instant.

You will therefore proceed more Southward, & consider your Cruising Ground, for the present, to extend from the Eastward of

long Island, to Cape Henry — but soon after your arriving on this Station, you will appear off the Capes of Delaware, & stand off and on for two days, in the Expectation of receiving from Me, by that time, some additional Instructions. In the Event of your not receiving such Instructions, you will pursue the best Means in your power, for protecting from French Depredations, the Commerce of our Country—but you must appear off the Capes of Delaware every ten or 12 days, & hover off and on for two days, to afford an opportunity of communicating with you. You will at such Times, hoist the same Signal, you were directed to hoist off New Port. —

Should you fall in with Cap<sup>t</sup> Dale, in the Ship *Ganges*, you will direct him to return to this Port, to be refitted. There will be two Revenue Cutters (*Governor Jay*) Cap<sup>t</sup> Leonard of 14 Guns, & (*General Greene*) Cap<sup>t</sup> Price of 10 Guns to cruise under your Command, while you remain between Long Island & Cape Henry. —

[NDA. OSW, Vol. 1.]

To Captain Jonathan Chapman, Revenue Cutter *Pickering*, from Secretary of Navy

[PHILADELPHIA,]

*Navy department July 30, 1798.*

Cap<sup>t</sup> JONA. CHAPMAN

*Cutter "Pickering" Boston.*

SIR, As your Cutter was not ready to join Cap<sup>t</sup> Barry and Cap<sup>t</sup> Decatur agreeably to my former Instructions, I have now to direct that you will immediately join the Ship *Herald*, and cruising in Company with that Ship follow such Instructions as you shall from Time to Time receive from her Commander Cap<sup>t</sup> John [James] Sever, whose orders are sent by this Conveyance

I have the honor &c.

[NDA. OSW, Vol. 1.]

To Jeremiah Yellott, Navy Agent, Baltimore, from Secretary of Navy

[PHILADELPHIA,]

*Navy Department July 30<sup>th</sup> 1798*

JER<sup>b</sup> YELLOTT Esq<sup>r</sup>. *Baltimore*

SIR Your Letter of the 27<sup>th</sup> Instant is received and I am pleased with the progress, you are making in the dispatch of the *Baltimore* — The cambouse has or will soon arrive — Common Rum of good Proof is what is allowed for our Ships of War; which you will of course provide — You are perfectly right in not purchasing on credit, and to relieve the advance you may have been under, I have directed a remittance of Ten Thousand Dollars, to be forwarded to you immediately —

I have the honor to be &c.

P. S. The Guns & Pistols have been delayed too long, but I hope will go off tomorrow or next day — The cambouse has been sent from New York for Baltimore.

[NDA. GLB, Vol. 1.]

To Stephen Higginson, Navy Agent, Boston, from Secretary of Navy

[PHILADELPHIA,]

Navy Department 30<sup>th</sup> July 1798

STEP<sup>n</sup> HIGGINSON Esq<sup>r</sup> Boston

SIR, I am honoured with your favour of the 22<sup>nd</sup> Instant — Also several days ago, your confidential Letter, for which I am much obliged —

I am rather pleased that Cap<sup>t</sup> Sever, and the Cutter were, not ready, as I am confident the Force of Barry & Decatur will be quite sufficient for that enterprize, and the other Vessels can take Nicholson's station, who can be employed to advantage farther south —

The Hurricanes I understand are not dangerous, oftener than once in three or four years — and then the danger is very partial, and by no means extends over all the West India Islands, nor even many of them

It is the custom of the British Cruisers to lie still and to come into our Harbours during the Hurricane season, — at least in a great degree — Knowing this, the French cruise with less caution during that season — knowing too, that our force on our own Coasts, is superior to any they can send, — they will employ their cruisers more about the Islands — Under such circumstances, tell me if you please freely your opinion, whether in making arrangements for the employment of our Ships, I ought at all to consider that there are Hurricanes in the West Indies? It is only from the lights I can receive from intelligent men, that I shall be able to conduct the Business of my Department, with tolerable advantage — The remains of the 40,000 Dollars I requested the Secretary of the Treasury to have remitted several days ago — Your wants early in August, shall be immediately attended to —

I have enclosed Instructions for Cap<sup>t</sup> Sever, which be pleased to have delivered — I hope the Ship & Cutter will be ready to proceed on their cruise

I have the honor to be &c.

[NDA. GLB, Vol. 1.]

To Joshua Humphreys, Naval Constructor, from Secretary of Navy

[PHILADELPHIA,]

Navy Department July 30<sup>th</sup> 1798

M<sup>r</sup> JOSHUA HUMPHREYS

SIR The Prize Schooner, *La Croyable*, will be sold this day at 12 o'clock, at the Merchants Coffee House, with her apparel & Guns. —

I request the favor of you to attend the sale and bid for her, the first bid, what you Judge to be a fair price, taking into consideration the value of the kind of Guns she has, her present condition, & what it will take to fit her completely for a cruiser — The money arising from the sale, will be divided between the public, and the Crew of Cap<sup>t</sup> Decatur, — my wish is, that the Crew, should get the value of their half the prize — but not more than the value. —

I am sir, &c<sup>a</sup>

[NDA. GLB, Vol. 1.]



[30 July, 1798.]

Extract from a letter dated Baltimore, July 30, from Captain John Cruft, late master of Brig *Sally*, captured by French

"I have again experienced a fate similar to that of my last voyage, being captured by the French frigate *La Decade*, and sent into Cayenne, there condemned both vessel and cargo, in the most unjustifiable manner, and myself and crew turned ashore without a farthing. In this situation I made application to both the commander of the frigate, and the commissary of the port, for a small part of my adventure to support me, or even part of my cabin stores, that were left, but was by them treated with an eye of contempt, and refused even to a biscuit. This treatment might only be expected from the most uncivilized, and savage nation, but at present, I compute the French to be no better, as they certainly are possessed with neither the principles of men, nor the feelings of humanity. *Liberty*, which they first contended for, is now changed into greater slavery than in the reign of any of their Kings, as never was their a monarch yet ever reigned, that was invested with so much power, as the *Directory's* agent in Cayenne, he has both the military and civil power in his hands, and can put to death whom he pleases, without any trial; several instances, which had happened just before my arrival, by his ordering several black soldiers shot for only complaining of their allowance of provisions not being sufficient to support them. — *Americans* were treated with disdain, and those of the inhabitants that were any ways disposed well towards them, were forbidden connecting themselves with them.

"Reasons assigned for condemnation: — 1st, Being bound to Surinam and a market, as expressed by the clearance. — 2d, Role d'Equipage not in order, as by being expressed on the back of it, being given by request of merchants and captains, and not acknowledged by Congress. — 3d, It not being witnessed (as they say) of the Notary's signing it when he did."

[LC, "Columbian Centinel" (Boston, Mass.), 8 August 1798.]

Extract from journal of James Pity, U. S. Frigate *Constitution*. 30 July 1798, Monday

First part this 24 hours fresh Breezes and Clear.

at 4 P. M. TK Ship to the West<sup>d</sup> at 5 bent down T. Gall<sup>s</sup> Yards at 8 A. M. Saw a Sail Stand<sup>s</sup> to the Eastw<sup>d</sup> wore Ship and gave chase She prov'd to be the *Louisa* Daniel Lewis Com<sup>r</sup> from New York bound to hamburgh 3 days out Tack'd Ship and Stood to the West<sup>d</sup> all Hands Setting up Rigging. Latter part Light Wind and Clear Weather.

[Latitude observed 40.17]

[NDA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*, 30 July 1798, Monday

At 2 PM spoke the Chace mentioned at the End of the preceding Day, she was a Schooner called the *Sally* from Charleston, bound to Saint Augustine out 24 Hours, and informed me that the other

Vessel to Leeward was a Schooner from same Place bound to Virginia. At 4 Ditto saw two Sail, gave Chace, and at 6 Ditto brought to with a Shot the Ship *Maria* of New York, Conchlin, Master, from Charleston, bound Home, left the Bar at 9 o'Clock this Morning, he informed me, he had seen a large Ship to Leeward, but no Cruizers, I wished him safe in, and bore down on the other Sail, which proved to be the *Essabella*\* of and from Saint Thomas bound to Savannah lading Sugar, and out 15 Days; at Midnight having fell in with this Schooner a second Time, being in Pursuit of the Ship to the Westward, as I was informed of by the *Maria*, I ordered him to hoist out his Boat, and come on Board with his Papers, which he did, finding them all clear and regular, dismissed him. At 3 AM saw a Sail, gave Chace, and at 4 Ditto, brought to with a Shot the Sloop, *Driver*, Alexander M<sup>c</sup>Givan, Master, from Jamaica, bound to Nixington, North Carolina, out 10 Days, and had seen no Cruizers, her Cargo consisted of Rum. Stood off to 26 Fathoms Water, and in to 18½ which was the Depth at Noon, when Charleston Bar bore West B. North, twelve Leagues Distance.

Latitude observed 32° 36' N<sup>o</sup>

Longitude Account 80.00 W.

[\* Also spelled *Issabella*; see entry of 1 August 1798.]

[HS of Pa. NDA photostat.]

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Extract from the journal of Lieutenant John Mulloony, U. S. Frigate *United States*, 30 July 1798

Stiff gales at ½ P. M. wore ship and made sail after the strange sail in sight, found her to be danish Ship from New York bound to Altona

A 4 P. M. made signal for a sail in sight, at 5 spoke the sail which was the *Old Tom* of & bound to Philad<sup>a</sup> from Liverpoole

Reefed Top sails 2 reefs.

A heavy squall with rain settled Top sails at 9 hoisted them Up.

Clear weather

[Lat<sup>de</sup> Obs<sup>d</sup> 38.15]

[NA.]

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To Captain Isaac Phillips, U. S. Navy, from Secretary of Navy

[PHILADELPHIA,]

Navy Departm<sup>t</sup> July 21 [31]. 1798

Cap<sup>t</sup> ISAAC PHILLIPS

SIR, I have received your Letter of the 28<sup>th</sup> Instant. I thought all the necessary Papers had been sent on to you in my last, and I still beleive they are. There are no printed Regulations denominated "Articles of War" The only ones of that Nature are entitled "Rules for the Regulation of the Navy" — a few copies of which I now send, and by which you will govern yourself — I shall nominate M<sup>t</sup> Stanton Hazard, who will be appointed a Midshipman as you request, but the Number cannot be extended beyond four — If however, you can turn one of these already mentioned as appointed for your Ship to the *Montezuma*, you can then introduce in his place Cap<sup>t</sup> Cox the Gentleman you mention, in which case inform me his Christian

name that it may be recorded. The arrangement you propose as to the Number of Seamen Landsmen &c I agree to and you may ship them accordingly. I hope the Camboose has arrived as it has been shipped some time from New York.

Your Instructions shall soon be transmitted to you. —

[NDA. OSW, Vol. 1.]

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To Messrs. Rabainne and P. T. Baudot, Boston, from Secretary Pickering

DEPARTMENT OF STATE, *Philadelphia July 31, 1798*

Mess<sup>rs</sup> RABAINNE, and P. T. BAUDOT — *Boston.*

GENTLEMEN, I duly received your letter of the 20<sup>th</sup> inst. requesting the President's permission for the Schooner *Ranger* of Boston to carry French Passengers to Guadaloupe, S<sup>t</sup> Thomas, and Gonaives in Hispaniola. To-day I have received the permit, signed by the President, from New York, and now forward it to the Collector of the Customs at Boston, to whom you will be pleased to make your Application. I am, &c.

TIMOTHY PICKERING

[SDA. Dom. L., Vol. 11.]

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To James Campbell, Petersburg, Va., from Secretary of Navy

[PHILADELPHIA,]

*Navy Department 31<sup>st</sup> July 1798*

JAMES CAMPBELL Esq<sup>r</sup> *Petersburg*

SIR I received with pleasure, your esteemed favour of the 15<sup>th</sup> Instant, and it is an agreeable circumstance to observe the zeal, with which the Inhabitants in the vicinity of Richmond and Petersburg, are animated — Only one of the Ships of 24 Guns, authorized by Law, remains to be provided; and she could readily have been furnished from the Northward, but I am rather inclined to the acceptance of the one in your Quarter, and shall be happy to find that she is speedily compleated — Copper is very scarce, and difficult to be obtained here — Copper Bolts may be had, and if they cannot be had in Virginia, I will send them from hence, altho it would be more agreeable that they should be provided on the spot, to prevent delay—I hope this Ship will be compleated in the time you mention, and that she will do honor to the promoters of the laudable spirit, which has been shewn on this occasion. —

[NDA. GLB, Vol. 1.]

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To Secretary of Treasury from Secretary of Navy

[PHILADELPHIA,]

*Navy Department. 31. July. 1798.*

SEC<sup>y</sup> of TREASURY

SIR, The Prize Schooner, *La Croyable*, having been purchased for the Public, with her Guns &c for seven Thousand Dollars, I have the honor to request that you will be pleased to direct, that that sum be

paid to Wm. Nicholls Esquire Marshall, in full payment for the said Schooner and Appurtenances.

I have the honor &c

[NDA. Req. on US T, 1793-1803.]

To President John Adams from Secretary of Navy

[PHILADELPHIA,]

Navy Department July 31<sup>st</sup> 1798

JOHN ADAMS ESQ<sup>r</sup>

*President of the United States*

SIR The Acts of Congress authorize the President to cause to be procured, from the Public Money appropriated for the purpose, and the public Spirit of the Citizens,

Six vessels not to exceed 18 Guns each

Twelve — not to exceed 24 Guns, &

Six — not less than 32 Guns —

Of the Six not to exceed 18 Guns, one I have directed to be purchased at Norfolk, from the very favorable representation of Cap<sup>t</sup> McNeill of one he saw on the stocks — And two others, are building by the Merchants of Baltimore — The first I hope may be at sea, in five or six weeks — the other two, in three months — Of the 12 not to exceed 24 Guns, five have been procured by purchase — The *Herald* of Boston; — The *Ganges* & the *Delaware* of Philadelphia; and the *Baltimore* & the *Montezuma* of Baltimore. — The three first are at sea, unless the *Herald* should still remain at Boston, but at any rate, she must be now ready — One of the other two, at Baltimore, will be ready in a week, and the other in the month of August — And there have been contracted for, by the public, four Ships to carry 24 Guns — One at Portsmouth, one at New York, one at Newport, and one at Middleton, on Connecticut River — The three first will be launched within three months — I fear the other will be longer delayed. — The Merchants at Boston are building one 24 Gun Ship, the Merchants of Newbury another, and I have no doubt, another will be supplied by the Merchants of Richmond, Petersburg & Norfolk. —

Of the Six not to be less than 32 Guns, the Merchants of Philadelphia are building one to carry 44 Guns — The Merchants of New York, one to carry 36 Guns, and arrangements have been made for going on with the three Frigates so long ago begun, at Portsmouth, New York, and Norfolk. — There remains then, three ships not exceeding 18 Guns — one not exceeding 24 Guns, and one not less than 32 Guns to be provided — Of the three 18 Gun ships, I expect one will be obtained at Charleston, partly from Public — partly from private money, — One at Providence by the same means — and I hope the subscription at Salem, will at least furnish the other — The Merchants of Richmond, Petersburg and Norfolk, I rely will furnish the 24 Gun Ship; but I am at a loss at present to Judge, from whence the Ship of 32 Guns or upwards, will be obtained — Some steps must be speedily taken on the subject, and I will do myself the honor to advise you the moment, it is decided, how this ship is to be provided —

I do not expect that any of the Ships upwards of 32 Guns will be launched before next April, in that month I hope all will be launched, and no effort on my part shall be spared to have them launched sooner — all the other ships I hope will be at sea, long before that time

I have the honor to be Sir,  
With the highest respect &c.

[NDA. GLB, Vol. 1.]

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To Secretary of Treasury from Secretary of Navy

[PHILADELPHIA,]  
*Navy Departm<sup>t</sup> 31<sup>st</sup> July 1798.*

SEC<sup>y</sup> OF TREASURY

SIR, I have a Claim against the United States for my own Salary, as Sec<sup>y</sup> of the Navy, & the Salary of Clerks employed in the Office up to the 30<sup>th</sup> June & including that day, to the Amount of 488 89/100 Dollars. —

It was no doubt intended by the Framers of the Law, establishing the department of the Navy, that the Clerks should receive such Compensation as the chief of the Departm<sup>t</sup> thought their Services entitled them to receive and within the sum appropriated for the Payment of Clerks — but the Law is ambiguous and altho' the Congress made the Appropriation agreeably to my Estimate, allowing the Clerks higher Salaries than 500 Dollars each — yet the Law is construed & I believe according to the strict Letter of it, to admit of no higher Salaries to the Clerks than 500 Dollars. —

I have therefore the honor to request, that you will be pleased to direct an Advance to be made to Me of Four hundred and Eighty Eight Dollars & 89 Cents — to be applied to the Payment of my own Salary to the 30<sup>th</sup> June, & such Salaries of the Clerks up to that Time, as I think they merit. I must take upon Myself that Congress will alter the Law, and make it what was no doubt intended. —

I have the honor &c<sup>s</sup>

[NDA. Req. on US T, 1798–1803.]

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[31 July 1798.]

Captain Truxtun's order concerning exercise of topmen

M<sup>r</sup> Anderson in Exercising the top men in the use of loading, pointing down on a Ship's decks &c, the Howitzers, will be very particular in explaining to the Midshipmen, and in fact every man Stationed in the tops in time of Action, every particular relating to the use of those important instruments of War, which if well managed, have often cleared the decks of an enemy, in a Short time — the lighting of one match by another, must be explained, for tho' topmen may be very usefull in time of Action, if they are not well initiated and made to understand in all respects what they are placed aloft for; they are of no Service Whatever, as I have seen in Several instances, as well as the reverse —

M<sup>r</sup> Morgan will be particularly attentive to this order as Master Gunner, and explain it to M<sup>r</sup> Anderson as his 1<sup>st</sup> Mate.

United States Ship *Constellation* at Sea July 31<sup>st</sup> 1798.

THOMAS TRUXTUN.

N. B. The Sea Lieu<sup>ts</sup> will be pleased to take a Copy of the above note to the Gunner, and cause it to be executed in the following manner viz. whenever the 1<sup>st</sup> Lieu<sup>t</sup> brings 12 O'clock in the morning, the Gunners Mate aforesaid will exercise the fore top Men — When the 2<sup>nd</sup> Lieu<sup>t</sup> brings 12 O'clock he will cause him to exercise the Main top men, and when the 3<sup>rd</sup> Lieu<sup>t</sup> brings twelve O'Clock as aforesaid, the the said Gunners Mate will exercise the Mizen top men, So that the men of each top be exercised in Rotation each day. —

T. T.

[HS of Pa. NDA photostat. Truxtun's LB, 1798-9.]

Extract from journal of James Pity, U. S. Frigate *Constitution*,  
31 July 1798, Tuesday

First part this 24 hours Fresh Breezes and Hazy W<sup>r</sup> with a great Swell from the S. S. W. at ½ past 1 P. M. finish'd setting up the Rigging &° at 10 P. M. T.K.D. Ship to the Northward & Eastw<sup>d</sup> a 11 the W<sup>r</sup> appearing dubious haul'd down the M<sup>a</sup> T. M. Stay Sail and Jibb. a 12 Sharp Lightning and heavy thunder attended with heavy Rain and Wind. Close Reeft Top Sails & haul'd up the Fore sail. Ship<sup>t</sup> much Water Thro' the ports haul'd in 6 Guns and Down ports at 12. Wore Ship again and let 1 Reef out Y<sup>e</sup> top Sails at 10 Clear'd and Wash'd decks and birthed the Crew. Ends in clear W<sup>r</sup> a Meridian. Tack'd Southward —

[Latitude observed 40°. 16<sup>m</sup> N.]

[NDA.]

Extract from Captain Thomas Truxtun's journal, U. S. Frigate *Constellation*,  
31 July 1798, Tuesday

Uncertain Weather, threatening heavy Squalls, and intermixed with fresh and light Airs, with some Calms, throughout the whole of this Day. No Vessels in Sight. Exercised the Cannon, and went through the Manuvres of Boarding. Employed at sundry necessary Jobs on the Rigging, and in the Carpenter's, and Gunner's Department, &c.

Made six large Fires below, under Care of the Carpenter, and his Crew, and I have directed in the most particular Manner, that the same be done on every Monday, Thursday, and Saturday; the other Days of the Week, the Apartments of the Crew, I have also repeated, according to former Orders, that they be washed with Vinegar, and Devil's burnt alternately.

At Noon the Depth of Water was twenty Fathoms, over a Bottom of fine black, and white Sands; Cape Roman at same Time bore North 10 Leagues, and Charleston Bar West B. North, 14 Leagues Distance.

Latitude observed 32° 34' N<sup>o</sup>

Longitude Account 79.52 W.

[HS of Pa. NDA photostat.]