

EXECUTIVE JOURNAL.

[SIXTEENTH SESSION.]

The Proceedings of the Senate, in their Executive capacity, being the Third Session of the Fifth Congress, and the Sixteenth Session of the Senate, begun and held at the City of Philadelphia, December 3d, 1798.

MONDAY, DECEMBER 10, 1798.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Thomas Truxton, of Pennsylvania, and Samuel Elbert, of Georgia, to be Midshipmen in the Navy of the United States.

JOHN ADAMS.

UNITED STATES, *December 10th*, 1798.

The message was read; and

Ordered, That it lie for consideration.

TUESDAY, DECEMBER 11, 1798.

The Senate proceeded to consider the message of the President of the United States, of the 10th instant, containing the nominations of Thomas Truxton, of Pennsylvania, and Samuel Elbert, of Georgia, to be Midshipmen in the Navy of the United States. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

WEDNESDAY, DECEMBER 12, 1798.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate John Faulcon, of North Carolina, to be Commissioner under the act for the valuation of land and dwelling houses, and the enumeration of slaves, for the third division of that State, in the room of Joseph John Williams, who has declined his appointment.

William Peck, to be Marshal for the district of Rhode Island;
Charles Burnham Cockran, to be Marshal for the district of South Carolina; and
Jacob Graybell, to be Marshal of the district of Maryland.

JOHN ADAMS.

December 12th, 1798.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, DECEMBER 13, 1798.

The Senate proceeded to consider the message of the President of the United States, of the 12th instant, and the nominations therein contained, of John Faulcon, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively, except to those of John Faulcon and Charles Burnham Cockran, postponed.

Ordered, That the Secretary lay this resolution before the President of the United States.

FRIDAY, DECEMBER 14, 1798.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Jacob Radcliff, of New York, to be a Commissioner of Valuations, &c. in the place of James Watson, Esq. resigned.

John Edwards, of Kentucky, to be Commissioner of Valuations, &c. in the place of Henry Lee, declined.

John McDowell, of Kentucky, to be Commissioner of Valuations, &c. in place of Robert Johnson, who has declined his appointment.

William Hunt, of North Carolina, to be Commissioner of Valuations, &c. in place of Absalom Tatem, who has declined his appointment.

JOHN ADAMS.

December 13th, 1798.

The message was read.

Ordered, That it lie for consideration.

The Senate resumed the consideration of the message of the President of the United States, of the 12th instant, and the nomination contained therein, of John Faulcon, to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

Resolved, That the consideration of the nomination of Charles Burnham Cockran be further postponed.

MONDAY, DECEMBER 17, 1798.

The Senate proceeded to consider the message of the President of the United States, of the 13th instant, and the nominations contained therein, of Jacob Radcliff, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, DECEMBER 18, 1798.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate John Huger, of South Carolina, to be Commissioner of Valuations, &c. in the place of Arnoldus Vanderhorst, declined.

Thomas Glascock, of Georgia, to be Commissioner of Valuations, &c. in the place of Jared Irvin, declined.

John Clark, of Georgia, to be Commissioner of Valuations, &c. in the place of Benjamin Talliafero, who has declined.

JOHN ADAMS.

December 17th, 1798.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, DECEMBER 19, 1798.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Archibald Richardson, of Virginia, to be Collector for the district of South Quay; Archibald Richardson, of do. to be Inspector of the Revenue for the port of South Quay; Edward St. Loe Livermore, of New Hampshire, to be Naval Officer for the district of Portsmouth; Andrew Torbone, of Virginia, to be Inspector of the Revenue for the port of Bermuda Hundred; Andrew Torbone, of do., to be Surveyor for the district of Bermuda Hundred; Samuel Sitgreaves, of Pennsylvania, to be Commissioner for carrying into effect the sixth article of the British treaty; Woolsey Burton, of Delaware, to be Commissioner under the act to provide for the valuation of lands, &c. for the third division of the said State, vice Isaac Cooper, declined; Thomas Davis, of Massachusetts, to be do. do. for the fourth division of the said do. vice Thomas Dawes, declined; Elijah Brigham, of Massachusetts, do. for the seventh division of the said State, vice Joseph Allen, declined; Cornelius Howard, of Maryland, do. for the third division of the same State, vice Robert Gorsuch, declined; Moses Robinson, Jr. Esq., of Vermont, do. for the second do. of the same State, vice Elijah Dewy, declined; Isaac Alexander, of South Carolina, do. for the second do. of the same State, vice John Chesnut, declined; Bushrod Washington, of Virginia, to be one of the Associate Justices of the Supreme Court of the United States; Maxwell Armstrong, of Virginia, to be Commissioner under the act to provide for the valuation of lands, &c. for the second division of the same State, vice John Haymond, declined; Andrew Nelson, of Virginia, to be do. for the first division of the same State, vice David Stephenson, declined; Thomas Posey, Esq. of Virginia, to be do. for the eleventh division of the same State, vice George

Divers, declined; William Preston, of Virginia, to be do. for the third division of the same State, vice William Hunter Cavendish, declined; James Murphey, of North Carolina, to be do. for the sixth division of the same State, vice Wallace Alexander, declined; Samuel Hay, of South Carolina, to be do. for the fifth division of the same State, vice Stephen Elliot, declined.

JOHN ADAMS.

December 19, 1798.

The message was read.

Ordered, That it lie for consideration.

The Senate proceeded to consider the message of the President of the United States, of the 17th instant, and the nominations contained therein, of John Huger, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, DECEMBER 20, 1798.

The Senate resumed the consideration of the message of the President of the United States, of the 12th instant, and the nomination contained therein of Charles Burnham Cockran, to office. Whereupon,

Resolved, That they do advise and consent to his appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider the message of the President of the United States, of the 19th instant, and the nominations contained therein of Archibald Richardson, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively; except to those of Archibald Richardson, Andrew Torbone, Andrew Nelson, and William Preston, postponed.

Ordered, That the Secretary lay this resolution before the President of the United States.

On motion,

Ordered, That the nomination of Archibald Richardson, Andrew Torbone, Andrew Nelson, and William Preston, contained in the message of the President of the United States, of the 19th instant, and this day postponed, be referred to Mr. Paine, Mr. Gunn, and Mr. Marshall, to consider and report thereon to the Senate.

FRIDAY, DECEMBER 21, 1798.

Mr. Paine, from the Committee to whom was referred the consideration of the nominations of Archibald Richardson, Andrew Torbone, Andrew Nelson, and William Preston, contained in the message of the President of the United States, of the 19th instant, made report. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, DECEMBER 24, 1798.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Sherwood Haywood, of North Carolina, to be Commissioner of Loans for that State, in the place of Robert Rowan, Esq. deceased.

JOHN ADAMS.

December 24th, 1798.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, DECEMBER 26, 1798.

The Senate proceeded to consider the message of the President of the United States, of the 24th instant, and the nomination contained therein, of Sherwood Haywood, to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, DECEMBER 31, 1798.

The following written messages were received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Robert G. Guerard, of South Carolina, to be Collector for the District of Beaufort, and Inspector of the Revenue for the port, in the place of Robert Hazard Wigg, who has declined his appointment.

JOHN ADAMS.

December 29th, 1798.

Gentlemen of the Senate:

I nominate the following persons for officers to the regiments directed to be raised by a law passed the sixteenth day of July last:

CAVALRY.

Lieutenant Colonel.

John Watts, Virginia.

Majors.

Solomon Van Rensselaer, New York.

John Tayloe, Virginia.

Captains.

Richard Willing, Pennsylvania.

Benjamin Williamson, New Jersey.

Lawrence Lewis, Virginia.

John B. Armistead, Virginia.

William Spencer, Maryland.

Lieutenants.

Robert Gray, Pennsylvania.

John Walback, ditto.

George Washington Craik, Virginia.

Laurence Washington, Virginia.

Charles F. Mercer, ditto

Richard Tilghman, 5th, Maryland.

Cornets.

William C. Rogers, Pennsylvania.
 Alexander M'Comb, Jr. New York.
 Charles Tutt, Virginia.

George W P Custis, Virginia.
 Carter B Fontaine, ditto.
 Richard Cook, Maryland.

INFANTRY.

Lieutenant Colonels.

Nathaniel White, New Hampshire.
 Simon Elliott, Massachusetts.
 William S. Smith, New York.
 Aaron Ogden, New Jersey.

Thomas L. Moore, Pennsylvania.
 Josias C. Hall, Maryland.
 Thomas Parker, Virginia.
 William Bentley, ditto.

Majors.

John Walker, Massachusetts.
 Isaac Winslow, ditto
 John Rowe, ditto
 William Wilcox, New York.
 Christopher Hutton, ditto
 William Shute, New Jersey.
 John Adlum, Pennsylvania.
 William Henderson, ditto

George Stephenson, Pennsylvania.
 William D. Beall, Maryland.
 David Hopkins, ditto
 Simon Morgan, Virginia.
 William Campbell, ditto
 Robert Beale, ditto
 James Baytop, ditto

Captains.

Josiah Dunham, New Hampshire.
 Nathaniel Greene, ditto
 Robert Parker, ditto
 Henry Tilton, ditto
 William Woodward, Vermont.
 Israel Elliott Trask, ditto
 John Rogers, Rhode Island.
 George Tillinghast, ditto
 Abraham R. Ellery, ditto
 William Jones, Massachusetts.
 James Brown, ditto
 Erasmus Babbet, Jun. ditto
 Ephraim Emmery, ditto
 John Tolman, ditto
 Solomon Phelps, ditto
 Ebenezer Thatcher, ditto
 Thomas Chandler, ditto
 Nathaniel Thwing, ditto
 John Burbeck, ditto
 Nathaniel Balch, Jun. ditto
 Hall Tufts, ditto
 John Pynchion, ditto
 Simeon Draper, ditto
 John Blake, ditto
 Samuel Jordon, ditto
 William Heywood, ditto
 Caleb Aspinwall, ditto
 Stephen Peabody, ditto
 Thomas Philips, ditto
 Dowe J. Fondy, New York.

James Bennett, New York.
 Andrew White, ditto
 George W. Kirkland, ditto
 Hermanus P. Schuyler, ditto
 Adrian Kissam, ditto
 John W. Patterson, ditto
 Justus B. Smith, ditto
 Jeremiah Landon, ditto
 Philip Church, ditto
 Robert Hunt, New Jersey.
 Charles Marles, ditto
 Job Stockton, ditto
 Denise Foreman, ditto
 Almarine Brookes, New Jersey.
 Samuel White, Delaware.
 Samuel Bowman, Pennsylvania.
 Peter Faulkner, ditto
 Joseph McKinney, ditto
 James Blaine, ditto
 Andrew Johnston, ditto
 Matthew Henry, ditto
 William R. Atlee, ditto
 Hugh Brady, ditto
 William Graham, ditto
 David Duncan, ditto
 John C. Beatty, Maryland.
 Thomas Beatty, Jun. ditto
 Lloyd Beall, ditto
 Gerard Briscoe, ditto
 Rezin Davidge, ditto

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| Bradley Beans, | Maryland. |
| Isaac Spencer, | ditto |
| William Nicholson, | ditto |
| Jacob Norris, | ditto |
| Presley Thornton, | Virginia. |
| Robert Gregg, | ditto |
| Henry Percy, | ditto |
| George S. Washington, | ditto |
| Richard Chinn, | ditto |
| Garnet Peyton, | ditto |
| Daniel C. Lane, | ditto |
| Philip Lightfoot, | ditto |
| Edmund Taylor, | ditto |

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| Daniel Ball, | Virginia. |
| Edmund Clarke, | ditto |
| John Davidson, | ditto |
| Archibald Randolph, | ditto |
| Bartholomew Dandridge, | ditto |
| Thomas Turner, | ditto |
| William Campbell, | ditto |
| John Greene, | ditto |
| Robert King, | ditto |
| James Caldwell, | ditto |
| William Dangerfield, | Kentucky. |
| Fleming Woodbridge, | ditto |
| William P. Anderson, | Tennessee. |

Lieutenants.

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| Francis Gardner, | New Hampshire. |
| Daniel M. Durell, | ditto |
| Abel Hutchins, | ditto |
| Sylvester G. Whipple, | ditto |
| Ephraim Whitney, | Vermont. |
| Whipple Lovett, | Rhode Island. |
| Robert Overing, | ditto |
| Thomas Brindley, | ditto |
| James Church, | Massachusetts. |
| Nathaniel Soley, | ditto |
| Jacob Allen, | ditto |
| William A. Barron, | ditto |
| Robert Duncan, Jun. | ditto |
| Phineas Ashmun, | ditto |
| Alpheus Cheney, | ditto |
| Samuel Flagg, Jun. | ditto |
| John Wheelwright | ditto |
| Isaac Rand, Junior, | ditto |
| Charles Cutler, | ditto |
| William Swan, | ditto |
| Samuel P. Fay, | ditto |
| Eleazer Williams, | ditto |
| Nathaniel Kidder, | ditto |
| Thomas Bowman, | ditto |
| Ebenezer Bradish, Jun. | ditto |
| John Shepherd, | ditto |
| Joseph Lee, | ditto |
| David C. D. Forrest, | ditto |
| Philip S. Schuyler, | New York. |
| Elhanan W. Wheeler, | ditto |
| Moses Foster, | ditto |
| Thomas Thompson, | ditto |
| David Jones, | ditto |
| Robert LeRoy Livingston, | ditto |
| Nathaniel Paulding, | ditto |
| William B. Peters, | ditto |
| Henry W. Ludlow, | ditto |
| Thomas Reading, Jun. | New Jersey. |

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| Robert C. Thompson, | New Jersey. |
| Samuel C. Voorhees, | ditto |
| Walter K. Cole, | ditto |
| John C. Mac Whorter, | ditto |
| William Potter, | ditto |
| Samuel Irwine, | Pennsylvania. |
| Henry Betz, | ditto |
| William Carson, | ditto |
| John Sharp, | ditto |
| Samuel B. Magaw, | ditto |
| Henry G. Slough, | ditto |
| Samuel Fulton, | ditto |
| Josiah McElwaine, | ditto |
| James P. Nelson, | ditto |
| Robert Lawrence, | ditto |
| Benjamin Wallace, | ditto |
| William Elliott, | Maryland. |
| Edward A. Howard, | ditto |
| Richard W. West, | ditto |
| John B. Barnes, | ditto |
| Ninian Pinckney, | ditto |
| Levi Alexander, | ditto |
| Matthew Tilghman, | ditto |
| Henry C. Neale, | ditto |
| Aquila Beall, | ditto |
| Francis Fouchée, | Virginia. |
| James Duncanson, | ditto |
| Lemuel Bent, | ditto |
| Robert Gustin, | ditto |
| George Tate, | ditto |
| Charles J. Love, | ditto |
| John G. Brown, | ditto |
| John Williams, | ditto |
| Thomas Jameson, | ditto |
| John Campbell, | ditto |
| John Braham, | ditto |
| Robert Carrington, | ditto |
| Brewer Godwin, Jun. | ditto |

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| Robert Temple | Virginia. |
| Jesse Ewell, Jun. | ditto |
| Joseph Grigsby, | ditto |
| Addison Armistead, | ditto |
| Samuel J. Winston, | ditto |

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| Calvin Morgan, | Virginia. |
| John Jameson, | Kentucky. |
| Charles Kilgoar, | ditto |
| Lewis Tiner, | Tennessee. |

Ensigns.

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| Arthur Rogers, | New Hampshire. |
| Moses Sweet, | ditto |
| Israel Bartlet, | ditto |
| Samuel Parker, | ditto |
| Jesse Lull, | Vermont. |
| Daniel Baker, | ditto |
| Cary Clarke, | Rhode Island. |
| Ozias Danforth, | ditto |
| William E. Greene, | ditto |
| Thomas Heald, | Massachusetts. |
| Abijah Harrington, | ditto |
| Moses M. Bates, | ditto |
| Charles Hunt, | ditto |
| James Gardner, | ditto |
| Marshall Spring, | ditto |
| Daniel Hastings, | ditto |
| Duncan Ingraham, | (tertius) ditto |
| William Leverett, | ditto |
| John Roulstone, | ditto |
| Jonathan Nicholls, | ditto |
| Daniel Bell, | ditto |
| John Page, Jun. | ditto |
| Thomas Durant, | ditto |
| David Fales, Jun. | ditto |
| Franklin Tinkham, | ditto |
| Willard Fales, | ditto |
| Warren Hall, | ditto |
| James D. Wheaton, | ditto |
| John Duer, | New York. |
| William W. Wands, | ditto |
| Prosper Brown, | ditto |
| William Cummings, | ditto |
| William Coxe, | ditto |
| George F. Harrison, | ditto |
| Samuel Hoffman, | ditto |
| Joseph C. Cooper, | ditto |
| Thomas W. Williams, | ditto |
| Jacob C. Ten Eyck, | ditto |
| William Pratt, | New Jersey. |
| Thomas Bullman, | ditto |
| Charles Read, | ditto |
| Henry Drake, | ditto |
| Hetchcote Johnston, | ditto |
| James Rhea, | ditto |
| James Clayton, Jun. | Delaware. |

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| John Milroy, | Pennsylvania. |
| Benjamin Worrell, | ditto |
| John Montgomery, | ditto |
| George Hammell, | ditto |
| Archibald Davis, | ditto |
| John A. Douglas, | ditto |
| Herman Witner, | ditto |
| Hugh H. Potts, | ditto |
| John S. Porter, | ditto |
| John Smith, | ditto |
| Robert Chambers, | ditto |
| Alexander McNair, | ditto |
| Thomas Lee, | ditto |
| Alexander Cooper, | Maryland. |
| John Brangle, | ditto |
| Enos Noland, | ditto |
| Thomas Dent, | ditto |
| Levi Hillary, | ditto |
| John Warren, | ditto |
| William Swan, | ditto |
| Levi G. Ford, | ditto |
| Daniel Hughes, | ditto |
| Reuben Thornton, | Virginia. |
| James Tutt, Jun. | ditto |
| Obadiah Clifford, | ditto |
| Simon Owens, | ditto |
| George W. Humphries, | ditto |
| John Crane, Junior, | ditto |
| Strother Settle, | ditto |
| John C. Williams, | ditto |
| Charles Shackelford, | ditto |
| John T. Fitzhugh, | ditto |
| Andrew M. Lusk, | ditto |
| James Brown, | ditto |
| Gerard Roberts, | ditto |
| William Potts, | ditto |
| Alexander Henderson, | ditto |
| George Armistead, | ditto |
| William Dean, | ditto |
| Horatio Stark, | ditto |
| Peter Lamkin, | ditto |
| Jesse Dold, | ditto |
| Willis Morgan, | Kentucky |
| Elijah Johnson, | ditto |
| Edmund P. Gaines, | Tennessee. |

A want of materials alone, has prevented a complete nomination for the whole of the troops directed to be raised. Care will be taken that this necessary postponement shall in no manner affect the relative rank of the officers to be yet appointed. Nor is it intended that the order of nomination in this list shall have any influence in the ultimate settlement of the rank of these officers. They will only be directed to obey in the order in which they here stand, until an ulterior arrangement shall be made.

JOHN ADAMS.

December 31, 1798.

The messages were read.

Ordered, That they lie for consideration.

WEDNESDAY, JANUARY 2, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Adolph C. Lent, of New York, to be Surgeon's Mate in the Navy.

Killeair H. Van Rennselaer, of New York, to be Lieutenant in the Navy.

Richard Satter Tibbits, of Massachusetts, to be Lieutenant in the Navy.

Joshua G. Symmes, of Massachusetts, to be Surgeon in the Navy.

George R. Turner, of Massachusetts, to be Lieutenant in the Navy.

Thomas Hoist, of Massachusetts, to be Second Lieutenant of Marines.

James Middleton, of Maryland, to be Second Lieutenant of Marines.

Thomas Wharton, of Pennsylvania, to be Second Lieutenant of Marines.

JOHN ADAMS.

January 1st, 1799.

The message was read.

Ordered, That it lie for consideration.

The Senate proceeded to consider the message of the President of the United States, of the 29th of December last, and the nomination contained therein, of Robert G. Guerard, to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider the message of the President of the United States, of the 31st of December last, and the military nominations therein contained.

On motion to agree to the nomination of Nathaniel White, to be a Lieutenant Colonel, agreeably to the nomination, it was determined in the negative; and,

On motion, it was agreed to re-consider the vote, by one of the majority last mentioned.

Ordered, That the consideration of this nomination be postponed. And, after progress,

Ordered, That the further consideration of this message be postponed.

Ordered, That the Secretary defer making a return on this message, until all the nominations therein contained are acted upon.

THURSDAY, JANUARY 3, 1799.

The Senate resumed the consideration of the message of the President of the United States, of the 31st ultimo, and the military nominations therein contained; and, after progress,

Ordered, That the further consideration thereof be postponed.

MONDAY, JANUARY 7, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate William Hines, Esq. of Southampton county, Virginia, to be a Commissioner of Valuations, &c. vice Mr. William Salter, declined.

JOHN ADAMS.

January 7th, 1799.

The message was read.

Ordered, That it lie for consideration.

The Senate proceeded to consider the message of the President of the United States, of the 2d instant, and the nominations contained therein, of Adolph C. Lent, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the message of the President of the United States, of the 31st ultimo, and the military nominations therein contained; and, after progress, the further consideration thereof was postponed.

TUESDAY, JANUARY 8, 1799.

The Senate proceeded to consider the message of the President of the United States, of the 7th instant, and the nomination contained therein, of William Hines, Esq. to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the message of the President of the United States, of the 31st ultimo, and the military nominations therein contained. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively; except to those which follow, and which are postponed for inquiry, viz.

Infantry.—Lieutenant Colonels.

| | | | |
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| Nathaniel White, New Hampshire. | | William Bentley, | Virginia. |
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Majors.

| | | | | | | |
|-------------------|---|-----------|--|---------------|---|-----------|
| William Campbell, | - | Virginia. | | James Baytop, | - | Virginia. |
| Robert Beale, | - | ditto. | | | | |

Captains.

| | | | | |
|-----------------------|-----------|------------------------|---|-----------|
| Hermanus P. Schuyler, | New York. | Daniel Ball, | - | Virginia. |
| Presley Thornton, | Virginia. | Edmund Clarke, | - | do. |
| Robert Gregg, | do. | John Davidson, | - | do. |
| Henry Percy, | do. | Archibald Randolph, | - | do. |
| George S. Washington, | do. | Bartholomew Dandridge, | - | do. |
| Richard Chinn, | do. | Thomas Turner, | - | do. |
| Garnet Payton, | do. | William Campbell, | - | do. |
| Daniel C. Lane, | do. | John Greene, | - | do. |
| Philip Lightfoot, | do. | Robert King, | - | do. |
| Edmund Taylor, | do. | James Caldwell, | - | do. |

Lieutenants.

| | | | | |
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| Elhanan W. Wheeler, | New York. | Thomas Jameson, | - | Virginia. |
| Moses Foster, | do. | John Campbell, | - | do. |
| Nathaniel Paulding, | do. | John Braham, | - | do. |
| William B. Peters, | do. | Robert Carrington, | - | do. |
| Henry W. Ludlow, | do. | Brewer Godwin, jun. | - | do. |
| Francis Fouchee, | Virginia. | Robert Temple, | - | do. |
| James Duncanson, | do. | Jesse Ewell, jun. | - | do. |
| Lemuel Bent, | do. | Joseph Grigsby, | - | do. |
| Robert Gustin, | do. | Addison Armistead, | - | do. |
| George Tate, | do. | Samuel T. Winston, | - | do. |
| Charles T. Love, | do. | Calvin Morgan, | - | do. |
| John G. Brown, | do. | Charles Kilgoar, | - | do. |
| John Williams, | do. | | | |

Ensigns.

| | | | | |
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| John Duer, | New York. | Strother Settle, | - | Virginia. |
| William W. Wands, | do. | John C. Williams, | - | do. |
| Prosper Brown, | do. | Charles Shackelford, | - | do. |
| William Cummings, | do. | John T. Fitzhugh, | - | do. |
| William Coxe, | do. | Andrew M. Lusk, | - | do. |
| George F. Harrison, | do. | James Brown, | - | do. |
| Samuel Hoffman, | do. | Gerard Roberts, | - | do. |
| Joseph C. Cooper, | do. | William Potts, | - | do. |
| Thomas W. Williams, | do. | Alexander Henderson, | - | do. |
| Jacob C. Ten Eyck, | do. | George Armistead, | - | do. |
| Reuben Thornton, | Virginia. | William Dean, | - | do. |
| James Tutt, jun. | do. | Horatio Stark, | - | do. |
| Obadiah Clifford, | do. | Peter Lamkin, | - | do. |
| Simon Owens, | do. | Jesse Dold, | - | do. |
| George W. Humphries, | do. | Elijah Johnson, | - | Kentucky. |
| John Crane, jun. | do. | | | |

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, JANUARY 10, 1799.

The Senate resumed the consideration of the message of the President of the United States, of the 31st ultimo, and the military nominations therein contained. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations, respectively; except to that of Nathaniel White, of New Hampshire, to be a Lieutenant Colonel, to which the Senate do not advise and consent.

Ordered, That the Secretary lay this resolution before the President of the United States.

Resolved, That the nominations of the following persons be further postponed:

Captain.

Hermanus P. Schuyler, New York.

Lieutenants.

| | | | |
|---------------------|-----------|----------------------|-----------|
| Elhanan W. Wheeler, | New York. | William B. Peters, - | New York. |
| Moses Foster, - | do. | Henry W. Ludlow, | do. |
| Nathaniel Paulding, | do. | George Tate, - | Virginia. |

Ensigns.

| | | | |
|---------------------|-----------|---------------------|-----------|
| John Duer, - | New York. | Samuel Hoffman, - | New York. |
| William W. Wands, | do. | Joseph C. Cooper, - | do. |
| Prosper Brown, - | do. | Thomas W. Williams, | do. |
| William Cummings, | do. | Jacob C. Ten Eyck, | do. |
| William Coxe, - | do. | Gerard Roberts, - | Virginia. |
| George F. Harrison, | do. | | |

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Turell Tufts, of Medford, Massachusetts, to be Consul of the United States at Surinam.

JOHN ADAMS.

January 10th, 1799.

FRIDAY, JANUARY 11, 1799.

The message of the President of the United States, of the 10th instant, was read.

Ordered, That it lie for consideration.

MONDAY, JANUARY 14, 1799.

The Senate proceeded to consider the message of the President of the United States, of the 10th instant, and the nomination therein contained, of Turell Tufts, to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I have received information that it is the desire of Mr. H. P. Schuyler that his name may be withdrawn from the list of nominations before the Senate. I therefore request that it may be withdrawn.

JOHN ADAMS.

January 14th, 1799.

The message was read.

Ordered, That it lie on file.

The Senate resumed the consideration of the message from the President of the United States, of the 31st ultimo, and the military nominations therein contained. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations, respectively; except to that of Hermanus P. Schuyler, of New York, as Captain, withdrawn; and to those of—

Lieutenants.

| | | | | |
|---------------------|--------------|--|--------------------|-----------|
| Nathaniel Paulding, | New York. | | William B. Peters, | New York. |
| | George Tate, | | Virginia. | |

Ensigns.

| | | | | |
|-------------------|-----------|--|-----------------|-----------|
| Joseph C. Cooper, | New York. | | Gerard Roberts, | Virginia. |
|-------------------|-----------|--|-----------------|-----------|

postponed for further inquiry.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, JANUARY 15, 1799.

The following written messages were received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I transmit to you the treaty between the United States and the Cherokee Indians, signed near Tellico, on the second day of October, 1798, for your consideration. I have directed the Secretary at War to lay before you the journal of the Commissioners, and a copy of their instructions.

JOHN ADAMS.

January 15th, 1799.

Gentlemen of the Senate:

In the list of gentlemen nominated for appointments in the army, I am informed two from New York have been misnamed. Instead of Mathew Paulding, nominated for a Lieutenant, it should have been Nathaniel Paulding; and instead of John Cooper, nominated for an Ensign, it should have been Joseph C. Cooper. I request that these names may be accordingly corrected.

JOHN ADAMS.

January 15th, 1799.

The messages and treaty were read.

Ordered, That they lie for consideration; and that the treaty be printed for the use of the Senate.

The Senate resumed the consideration of the message of the President of the United States, of the 31st ultimo, and the military nominations contained therein; and the nominations mentioned in the President's message of this day, being corrected accordingly,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations, except to that of William B. Peters, of New York, as Lieutenant, and of Gerard Roberts, of Virginia, as Ensign, postponed for inquiry.

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, JANUARY 17, 1799.

Sundry communications from the Secretary for the Department of War, respecting the treaty with the Cherokee Indians, were laid before the Senate, and in part read.

Ordered, That the further reading thereof be postponed.

FRIDAY, JANUARY 18, 1799.

The communications from the Secretary for the Department of War, respecting the treaty with the Cherokee Indians, were read.

On motion,

Ordered, That the treaty made with the Indians of the Cherokee nation, be referred to Mr. Tracy, Mr. Ross, and Mr. Anderson, to consider and report thereon to the Senate.

The Senate resumed the consideration of the message of the President of the United States, of the 31st of December last, and the nomination contained therein, of William B. Peters, of New York, to be a Lieutenant of Infantry. Whereupon,

Resolved, That they do not advise and consent to his appointment.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, JANUARY 21, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Roger Gregory, Jr., of Virginia, to be Commissioner of the Direct Tax, &c. in the place of Thomas Tinsley, who has resigned.

JOHN ADAMS.

January 21st, 1799.

TUESDAY, JANUARY 22, 1799.

Mr. Tracy reported, from the Committee to whom was referred the treaty made with the Indians of the Cherokee nation, at Tellico, on the 2d day of October, 1798; and the report was adopted.

On the question, to advise and consent to the ratification of the said treaty,

It passed in the affirmative, { Yeas, 18,
Nay, 1.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Anderson, Bloodworth, Chipman, Davenport, Foster, Goodhue, Greene, Gunn, Hillhouse, Howard, Latimer, Marshall, Martin. Paine, Ross, Sedgwick, Tracy, and Watson.

Mr. Read voted in the negative.

So it was

Resolved, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty made on behalf of the United States with the Cherokee nation of Indians, at Tellico, on the 2d day of October, 1798.

Ordered, That the Secretary lay this resolution before the President of the United States.

The message of the President of the United States, of the 21st instant, was read.

Ordered, That it lie for consideration.

TUESDAY, JANUARY 29, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate the gentlemen contained in this list, for the offices in the Navy set against their names.

JOHN ADAMS.

January 29, 1799.

List of Commissioned Officers in the Navy of the United States, appointed by the President during the recess of the Senate, in 1798.

Captains in the Navy.

| NAMES. | RESIDENCE. | IN WHAT VESSEL EMPLOYED. |
|---|---|--|
| Alexander Murray, Thomas Tingey, Jonathan Chapman, | Pennsylvania, New Jersey, Massachusetts, | Montezuma. Ganges. 24 gun vessel, building at Boston. |
| George Cross, | South Carolina, | Vessel building at Charles- ton. |
| Patrick Fletcher, Samuel Barron, Moses Brown, Moses Tryon, | Massachusetts, Virginia, Massachusetts, Connecticut, | George Washington. Richmond. Merrimack. Connecticut. |

Lieutenants in the Navy.

| | | |
|--|--|--|
| William Bainbridge, Charles C. Russell, Ambrose Shirley, John Shaw, M. Simmons Bunbury, John McRea, Thomas Calvert, Robert W. Hamilton, John Cruft, Lloyd S. Daubeny, Michl. Titcomb, jr. Samuel Chase, James Boush, Wilson Jacobs, John Warner, John Ballard, Zachariah Rhodes, James Burns, | New York. Massachusetts, Maryland, Do. Do. Virginia, Do. New York, Massachusetts, New York. Massachusetts, Do. Virginia, Rhode Island, Do. Virginia, Rhode Island, Maryland, say } Pennsylvania, } Maryland, Massachusetts, Pennsylvania. | Herald. Constellation. Montezuma. Ditto. Norfolk. Ditto. Constitution. Now absent. Merrimack. Ditto. Richmond. George Washington. Ditto. Richmond. George Washington. Ganges. Constellation. Pickering. |
|--|--|--|

Surgeons.

| | | |
|-----------------------|----------------|--------------------|
| Thomas Rowland, | Maryland, | Baltimore. |
| Thomas Reynolds, | Virginia, | Richmond. |
| Jeffrey D. Shally, | Maryland, | Montezuma. |
| Nathaniel Bradstreet, | Massachusetts, | Merrimack. |
| Joseph Lee, | Rhode Island, | George Washington. |
| John K. Read, | Virginia, | Norfolk. |

Surgeons' Mates.

| | | |
|------------------------|----------------|--------------------|
| Hanson Catlett, | Maryland, | Montezuma. |
| Henry Wells, | Do. | Baltimore. |
| Thos. O. H. Carpenter, | Rhode Island, | George Washington. |
| Benjamin Shurtleff, | Massachusetts, | Merrimack. |

The message was read.

Ordered, That it lie for consideration.

The Senate proceeded to consider the message of the President of the United States, of the 21st instant, and the nomination therein contained, of Roger Gregory, jr. to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, JANUARY 31, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I send you, for your consideration, a treaty with the Oneida nation of Indians, made on the first day of June, 1798, at their village.

JOHN ADAMS.

January 30th, 1799.

The message and papers were read.

Ordered, That they be referred to Mr. Hillhouse, Mr. Tracy, and Mr. Livermore, to consider and report thereon to the Senate.

The Senate proceeded to consider the message of the President of the United States, of the 29th instant, and the nominations contained therein, of Alexander Murray, and others, to office. And, after progress, the further consideration thereof was postponed.

MONDAY, FEBRUARY 4, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Henry Seton, of New York, to be a Lieutenant in the Navy.

JOHN ADAMS.

February 4th, 1799.

TUESDAY, FEBRUARY 5, 1799.

The message of the President of the United States, of the 4th instant, and the nomination contained therein, of Henry Seton, to office, was read.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that the said nomination be now considered. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the message of the President of the United States, of the 29th ultimo, and the nominations contained therein, of Alexander Murray, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations, respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

Mr. Hillhouse, from the Committee to whom was referred the treaty made with the Oneida Indians, on behalf of the State of New York, reported that the same be ratified.

WEDNESDAY, FEBRUARY 6, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

In consequence of intimations from the Court of Russia, to our Minister Plenipotentiary at the Court of Great Britain, of the desire of that power to have a treaty of amity and commerce with the United States, and that the negotiation might be conducted in London:

I nominate Rufus King, our Minister Plenipotentiary at the Court of Great Britain, to be a Minister Plenipotentiary, for the special purpose of negotiating with any Minister of equal rank and powers, a treaty of amity and commerce between the United States and the emperor of all the Russias.

JOHN ADAMS.

Feb. 6, 1799.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, FEBRUARY 7, 1799.

The Senate proceeded to consider the message of the President of the United States, of the 6th instant, and the nomination contained therein, of Rufus King, to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

FRIDAY, FEBRUARY 8, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate William Smith, our Minister Plenipotentiary to the Court of Portugal, to be Envoy Extraordinary and Minister Plenipotentiary to the Sublime Ottoman Porte, with full powers to negotiate a treaty of amity and commerce between the United States of America and the dominions and dependencies of the Sublime Porte.

JOHN ADAMS.

February 8, 1799.

The message was read.

Ordered, That it lie for consideration.

MONDAY, FEBRUARY 11, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate the following list of officers for the Army:

Lieutenant Colonel.

Timothy Taylor, Connecticut.

Majors.

John Ripley, Connecticut.

| Jabez Huntington, Connecticut.

Captains.

John Benjamin, Connecticut.
John Meigs, ditto.
Elihu Sandford, ditto.
Stephen Ranney, ditto.
Samuel Blakeslee, ditto.

| Jonathan Root, Connecticut.
| John Bulford, ditto.
| Asa Copeland, ditto.
| William Young, jun. ditto.
| Coleby Chew, ditto.

Lieutenants.

Samuel Waugh, Connecticut.
Lemuel Harrison, ditto.
Bennet Bronson, ditto.
Reuben Hurd, ditto.
Trueman Mosely, ditto.

| John Knox, Connecticut.
| William W. Cheney, ditto.
| Lodowick Gallup, ditto.
| John Eells, ditto.
| Waters Clark, ditto.

Ensigns.

Salmon Clark, Connecticut.
Peter N. Brinsmade, ditto.
Trueman Hinman, ditto.
Walter Smith, ditto.
Joseph A. Wells, ditto.

| James Gordon, Connecticut.
| Ebenezer Learned, ditto.
| Peter Richards, ditto.
| Robert Hosmer, ditto.
| Solomon Allen, ditto.

JOHN ADAMS.

PHILADELPHIA, Feb. 9, 1799.

The message was read.

Ordered, That it lie for consideration.

The Senate proceeded to consider the message of the President of the United States, of the 8th instant, and the nomination contained therein, of William Smith, to office.

On the question to advise and consent to the appointment,

It was determined in the affirmative, { Yeas, 16,
Nays, 12.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bingham, Chipman, Davenport, Foster, Goodhue, Greene, Hillhouse, Latimer, Livermore, Lloyd, Read, Sedgwick, Stockton, Tracy, Watson, and Wells.

Those who voted in the negative, are—Messrs. Anderson, Bloodworth, Brown, Gunn, Howard, Langdon, Marshall, Martin, Mason, Paine, Ross, and Tattnell.

So it was

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

WEDNESDAY, FEBRUARY 13, 1799.

The Senate proceeded to consider the report of the Committee to whom was referred the treaty made with the Oneida Indians, on behalf of the State of New York;

And, on the question to advise and consent to the ratification of the said treaty, as reported by the Committee,

It passed unanimously in the affirmative, Yeas, 25.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Anderson, Bingham, Bloodworth, Brown, Chipman, Davenport, Foster, Goodhue, Greene, Gunn, Hillhouse, Howard, Langdon, Latimer, Livermore, Lloyd, Marshall, Martin, Paine, Ross, Sedgwick, Stockton, Tracy, Watson, and Wells.

Resolved, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty made on behalf of the State of New York, with the Oneida Indians, on the first day of June, 1798.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider the message of the President of the United States, of the 9th instant, and the nominations contained therein, of Timothy Taylor, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

SATURDAY, FEBRUARY 16, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Edward Stevens, of Philadelphia, to be Consul General of the United States, in the Island of St. Domingo.

JOHN ADAMS.

February 16th, 1799.

The message was read.

Ordered, That it lie for consideration.

MONDAY, FEBRUARY 18, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary :

February 18th, 1799.

Gentlemen of the Senate :

I transmit to you a document, which seems to be intended to be a compliance with a condition mentioned at the conclusion of my message to Congress, of the twenty-first of June last.

Always disposed and ready to embrace every plausible appearance of probability of preserving or restoring tranquillity, I nominate William Vans Murray, our Minister Resident at the Hague, to be Minister Plenipotentiary of the United States to the French Republic.

If the Senate shall advise and consent to his appointment, effectual care shall be taken, in his instructions, that he shall not go to France without direct and unequivocal assurances, from the French government, signified by their Minister of Foreign Relations, that he shall be received in character; shall enjoy the privileges attached to his character by the law of nations; and that a Minister of equal rank, title, and powers, shall be appointed to treat with him, to discuss and conclude all controversies between the two Republics by a new treaty.

JOHN ADAMS.

LIBERTY.

[TRANSLATION.]

Exterior Relations.

* French Seal of the *
* Department of Ex- *
* terior Relations. *

EQUALITY.

3d Division.

PARIS, the 7th Vendémiaire of the 7th year }
of the French Republic, One and Indivisible. }

N. B. The good order of the correspondence requires that the answer should relate the number of the division, above indicated.

The Minister of Exterior Relations, to Citizen Pichon, Secretary of Legation of the French Republic near the Batavian Republic.

I have received successively, Citizen, your letters of the 22d and 27th Fructidor. [8th and 13th September.] They afford me more and more reason to be pleased with the measure you have adopted, to detail to me your conversations with Mr. Murray. These conversations, at first merely friendly, have acquired consistency, by the sanction I have given to them by my letter of the 11th Fructidor. I do not regret that you have trusted to Mr. Murray's honor a copy of my letter: it was intended for you only, and contains nothing but what is conformable to the intentions of government. I am thoroughly convinced that should explanations take place, with confidence between the two Cabinets, irritation would cease; a crowd of misunderstandings would disappear; and the ties of friendship would be the more strongly united, as each party would discover the hand which sought to disunite them.

But I will not conceal from you that your letters of the 2d and 3d Vendémiaire, just received, surprise me much. What Mr Murray is still dubious of, has been very explicitly declared, even before the President's message

to Congress, of the 3d Messidor [21st June] last, was known in France. I had written it to Mr. Gerry, namely, on the 24th Messidor and 4th Thermidor; I did repeat it to him before he sat out. A whole paragraph of my letter to you, of the 11th Fructidor, of which Mr. Murray has a copy, is devoted to develop still more the fixed determination of the French government. According to these bases, you were right to assert, that, whatever Plenipotentiary the government of the United States might send to France, to put an end to the existing differences between the two countries, would be undoubtedly received with the respect due to the representative of a free, independent, and powerful nation.

I cannot persuade myself, Citizen, that the American government need any further declarations from us, to induce them, in order to renew the negotiations, to adopt such measures as would be suggested to them by their desire to bring the differences to a peaceable end. If misunderstandings on both sides have prevented former explanations from reaching that end, it is presumable that those misunderstandings being done away, nothing henceforth will bring obstacles to the reciprocal dispositions. The President's instructions to his Envoys at Paris, which I have only known by the copy given you by Mr. Murray, and received by me the 21st Messidor, [9th July] announce, if they contain the whole of the American government's intentions, dispositions which could only have added to those which the Directory has always entertained; and, notwithstanding the posterior acts of that government—notwithstanding the irritating and almost hostile measures they have adopted—the Directory has manifested its perseverance in the sentiments which are deposited both in my correspondence with Mr. Gerry, and in my letter to you of the 11th Fructidor; and which I have herein-before repeated in the most explicit manner. Carry, therefore, Citizen, to Mr. Murray, those positive expressions, in order to convince him of our sincerity, and prevail upon him to transmit them to his government.

I presume, Citizen, that this letter will find you at the Hague; if not, I ask it may be sent back to you at Paris.

Salute and fraternity.

(Signed)

CH: MAU: TALLEYRAND.

The message and document were read.

Ordered, That they lie for consideration.

The Senate proceeded to consider the message of the President of the United States, of the 16th instant, and the nomination contained therein, of Edward Stevens, to office.

Ordered, That the further consideration thereof be postponed.

TUESDAY, FEBRUARY 19, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Richard Derby, of Massachusetts, to be a Captain in the Navy.

JOHN ADAMS.

February 19th, 1799.

WEDNESDAY, FEBRUARY 20, 1799.

The message of the President of the United States, of the 19th instant, was read.

Ordered, That it lie for consideration.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate the following list of officers in the Army:

Cavalry.

Lieutenant James V. Ball, Captain; vice Van Rensselaer, appointed Major.

First Regiment of Artillerists and Engineers.

Major Henry Burbeck, Lieutenant Colonel Commandant; vice Rochefontaine, dismissed, 7th May, 1798.

Captain Mahlon Ford, Major; vice Burbeck, promoted, 7th May, 1798.

Lieutenant Piercy S. Pope, Captain; vice McRée, resigned, 24th April, 1798.

Lieutenant Ebenezer Massey, Captain; vice Ford, promoted, 7th May, 1798.

Lieutenant John McClallen, Captain; vice Peirce, deceased, 24th July, 1798.

Lieutenant Nehemiah Freeman, Captain; vice Mitchell, deceased, 6th August, 1798.

Samuel Fowles, Massachusetts, Lieutenant; vice Pope, promoted.

James House, Pennsylvania, Lieutenant; vice Massey, promoted.

David Meredith, Pennsylvania, Lieutenant; vice Hale, resigned.

Ebenezer Beebe, Connecticut, Lieutenant; vice Guimpe, resigned.

States Rutledge, South Carolina, Lieutenant; vice McClallen, promoted.

William Yates, New York, Lieutenant; vice Freeman, promoted.

Warham Shepard, Massachusetts, Lieutenant; vice Watkins, resigned.

James P. Heath, Delaware, Lieutenant; vice Vandyke, resigned.

Second Regiment of Artillerists and Engineers.

George Waterhouse, Rhode Island, Lieutenant; vice Dickinson, declined.

Robert Heaton, Jun., New York, Lieutenant; vice Yates, declined.

David Evans, Jun., North Carolina, Lieutenant; vice Webster, declined.

Leonard Williams, Vermont, Lieutenant.

JOHN ADAMS.

February 20th, 1799.

The message was read.

Ordered, That it lie for consideration.

The Senate proceeded to consider the message of the President of the United States, of the 18th instant, and the nomination contained therein, of William Vans Murray, to office

On motion, that the message and communication accompanying it be referred to a Committee,

It was determined in the affirmative, { Yeas, 21,
Nays, 7.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bingham, Chipman, Davenport, Foster, Goodhue, Greene, Gunn, Hillhouse, Howard, Latimer, Laurance, Livermore, Lloyd, Paine, Read, Ross, Sedgwick, Stockton, Tracy, Watson, and Wells.

Those who voted in the negative, are—Messrs Anderson, Bloodworth, Langdon, Marshall, Martin, Mason, and Pinckney.

Whereupon,

Ordered, That the said message and communication be referred to Mr. Sedgwick, Mr. Bingham, Mr. Read, Mr. Ross, and Mr. Stockton, to consider and report thereon to the Senate.

THURSDAY, FEBRUARY 21, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate John Elmslie, Jun. of Pennsylvania, to be Consul of the United States, at the Cape of Good Hope.

JOHN ADAMS.

February 21st, 1799.

The message was read.

Ordered, That it lie for consideration.

The Senate proceeded to consider the message of the President of the United States, of the 16th instant, and the nomination contained therein of Edward Stevens, to office.

On the question to advise and consent thereto;

| | | |
|---------------------------------------|-------------------|-----|
| It was determined in the affirmative, | { Yeas, | 18, |
| | { Nays, | 7. |

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bingham, Chipman, Foster, Goodhue, Greene, Hillhouse, Howard, Latimer, Laurance, Livermore, Lloyd, Paine, Ross, Sedgwick, Stockton, Tracy, Watson, and Wells.

Those who voted in the negative, are—Messrs. Bloodworth, Langdon, Marshall, Martin, Mason, Pinckney, and Read.

So it was

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

FRIDAY, FEBRUARY 22, 1799.

The Senate proceeded to consider the message of the President of the United States, of the 19th instant, and the nomination therein contained, of Richard Derby, to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded to consider the message of the President of the United States, of the 21st instant, and the nomination therein contained, of John Elmslie, Jun., to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded to consider the message of the President of the United States, of the 20th instant, and the nominations contained therein, of James V. Ball, and others, to military appointments. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively; except to those of Samuel Fowles, Warham Shepard, George Waterhouse, and David Evans, postponed for inquiry.

Ordered, That the Secretary lay these resolutions before the President of the United States.

SATURDAY, FEBRUARY 23, 1799.

The Senate resumed the consideration of the message of the President of the United States, of the 20th instant, and the nominations contained therein, of Samuel Fowles, Warham Shepard, George Waterhouse, and David Evans, Jun. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, FEBRUARY 25, 1799.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

The proposition of a fresh negotiation with France, in consequence of advances made by the French government, has excited so general an attention, and so much conversation, as to have given occasion to many manifestations of the public opinion; from which it appears to me, that a new modification of the embassy will give more general satisfaction to the legislature, and to the nation, and perhaps better answer the purposes we have in view.

It is upon this supposition, and with this expectation, that I now nominate Oliver Ellsworth, Esq., Chief Justice of the United States;

Patrick Henry, Esq., late Governor of Virginia; and

William Vans Murray, Esq., our Minister resident at the Hague; to be Envoys Extraordinary and Ministers Plenipotentiary to the French Republic, with full powers to discuss and settle, by a treaty, all controversies between the United States and France.

It is not intended that the two former of these gentlemen shall embark for Europe, until they shall have received from the Executive Directory, assurances, signified by their Secretary of Foreign Relations, that they shall be received in character; that they shall enjoy all the prerogatives attached to that character by the law of nations; and that a Minister or Ministers, of equal powers, shall be appointed and commissioned to treat with them.

JOHN ADAMS.

February 25th, 1799.

The message was read.

Ordered, That it lie for consideration.

On motion,

Ordered, That the Committee, to whom was referred the message of the President of the United States, of the 8th instant, nominating William Vans Murray, be discharged.

TUESDAY, FEBRUARY 26, 1799.

The Senate resumed the considération of the message of the President of the United States, of the 18th instant, and the nomination contained therein, of William Vans Murray, to be Minister Plenipotentiary of the United States to the French Republic.

On motion, that it be

Resolved, That by the message of the President, of yesterday, nominating Oliver Ellsworth, Patrick Henry, and William Vans Murray, Envoys Extraordinary to the French Republic, his message of the 18th of the present month, nominating William Vans Murray as Minister Plenipotentiary to the same Republic, is superseded.

A motion was made for the previous question, to wit: Shall the main question be now put? and it was determined in the affirmative.

And, on motion to agree to the main question, it was determined in the affirmative.

The Senate proceeded to consider the message of the President of the United States, of the 25th instant, and the nominations contained therein, of Oliver Ellsworth, and others, to office.

Ordered, That the further consideration thereof be postponed until to-morrow.

WEDNESDAY, FEBRUARY 27, 1799.

The Senate resumed the consideration of the message of the President of the United States, of the 25th instant, nominating Oliver Ellsworth, Patrick Henry, and William Vans Murray, to office.

On motion, that the Senate advise and consent that Oliver Ellsworth, Esquire, be appointed an Envoy Extraordinary and Minister Plenipotentiary to the French Republic, for the discussion and settlement, by a treaty, of all controversies between the United States and France;

It was determined in the affirmative, { Yeas, 23,
Nays, 6.

The yeas and nays being required by one-fifth of the Senators present, Those who voted in the affirmative, are—Messrs. Bingham, Chipman, Davenport, Foster, Goodhue, Greene, Gunn, Hillhouse, Howard, Latimer, Laurance, Livermore, Lloyd, Martin, Paine, Read, Ross, Sedgwick, Stockton, Tattnall, Tracy, Watson, and Wells.

Those who voted in the negative, are—Messrs. Bloodworth, Brown, Langdon, Marshall, Mason, and Pinckney.

On motion, that the Senate advise and consent that Patrick Henry, Esquire, be appointed an Envoy Extraordinary and Minister Plenipotentiary to the French Republic, for the discussion and settlement, by a treaty, of all controversies between the United States and France;

It was determined in the affirmative, { Yeas, 26,
Nays, 3.

The yeas and nays being required by one-fifth of the Senators present, Those who voted in the affirmative, are—Messrs. Bingham, Brown, Chipman, Davenport, Foster, Goodhue, Greene, Gunn, Hillhouse, Howard, Latimer, Laurance, Livermore, Lloyd, Marshall, Martin, Mason, Paine. Read, Ross, Sedgwick, Stockton, Tattnell, Tracy, Watson, and Wells.

Those who voted in the negative, are—Messrs. Bloodworth, Langdon, and Pinckney.

On motion, that the Senate does advise and consent that William Vans Murray, Esq., be appointed an Envoy Extraordinary and Minister Plenipotentiary to the French Republic, for the discussion and settlement, by a treaty, of all controversies between the United States and France;

It was unanimously determined in the affirmative: Yeas 29.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bingham, Bloodworth, Brown, Chipman, Davenport, Foster, Goodhue, Greene, Gunn, Hillhouse, Howard, Langdon, Latimer, Laurance, Livermore, Lloyd, Marshall, Martin, Mason, Paine, Pinckney, Read, Ross, Sedgwick, Stockton, Tattnell, Tracy, Watson, and Wells.

So it was

Resolved, That the Senate does advise and consent to the appointment of Oliver Ellsworth, Patrick Henry, and William Vans Murray, conformable to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate the following gentlemen to be officers in the Navy:
 Richard Marner, of New York, to be a Lieutenant in the Navy.
 Thomas Laing, of Rhode Island, to be a Lieutenant in the Navy.
 Isaac B. Hickbourne, of South Carolina, to be a Lieutenant in the Navy.
 Samuel Phillips, of Rhode Island, to be a Lieutenant in the Navy.
 William Smith, of South Carolina, to be a Lieutenant in the Navy.
 Robert Palmer, of Rhode Island, to be a Lieutenant in the Navy.
 William Flag, of South Carolina, to be a Lieutenant in the Navy.
 John Smith, of South Carolina, to be a Lieutenant in the Navy.
 Jeremiah Fenner, of Rhode Island, to be a Lieutenant in the Navy.
 Henry Tibbitts, of Rhode Island, and Hector Orr, of Massachusetts, to be Surgeons in the Navy.

JOHN ADAMS.

February 27th, 1799.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, FEBRUARY 28, 1799.

The Senate proceeded to consider the message of the President of the United States, of the 27th instant, nominating Richard Marner, and others, to office; and, after progress,

Ordered, That the further consideration thereof be postponed.

FRIDAY, MARCH 1, 1799.

The Senate proceeded to the consideration of the message of the President of the United States, of the 27th ultimo, and the nominations therein contained, of Richard Marner, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments respectively, agreeably to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written messages were received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate the following gentlemen to be officers in the Army:

First Regiment of Infantry.

Lieutenant Jacob Kreemer, Captain, vice Harrison, resigned, 1st June, 1798.

Lieutenant Daniel Bissell, Captain, vice Gaines, do. 1st January, 1799.

Lieutenant Charles Hyde, Captain, in pursuance of the act of 16th July, 1798.

Lieutenant John Michael, Captain, do

Ensign Robert Torrans, Lieutenant, vice Kreemer, promoted, 1st June, 1798.

Ensign Yelverton Peyton, Lieutenant, vice Bissell, do. 1st January, 1799.

Ensign John W. Thompson, Lieutenant, vice Hyde, do

Ensign Merriwether Lewis, Lieutenant, vice Michael, do

Ensign John Alexander Davidson, Lieutenant, in pursuance of act of 26th July, 1798.

Ensign George Stall, Lieutenant, do

Philemon Charles Blake, Maryland, Ensign.

Moses Hook, Massachusetts, Ensign.

Joseph Hawley Dwight, Massachusetts, Ensign.

Joshua S. Rogers, Rhode Island, Ensign.

Ranna Cosset, Vermont, Ensign.

Andrew Van Wort, New York, Ensign.

Thomas John Lawrence, New Jersey, Ensign.

Peter Robinson, Delaware, Ensign.

Eli B. Clemson, Pennsylvania, Ensign.

Second Regiment of Infantry.

Lieutenant Peter Shoemaker, Captain, in pursuance of the act of 16th July, 1798.

Lieutenant Jesse Lukens, Captain, do

Ensign James Richmond, Lieutenant, vice Martin, resigned, June, 1798.

Ensign David Thompson, Lieutenant, vice Shoemaker, promoted.

Ensign John McClary, Lieutenant, vice Lukens, promoted.

Ensign Samuel Allison, Lieutenant, in pursuance of the act of 16th July, 1798.

Ensign George Callender, Lieutenant, do

Zebulon M. Pike, New Jersey, Ensign.

Nathan Heald, Massachusetts, Ensign.

William Laidlie, New York, Ensign.

John Wilson, Pennsylvania, Ensign.

James Dill, do do

Peter Shiras, do do

Thomas Porter, do do

Benjamin Bullet, do do

Seymour Rannix, Virginia, do

Third Regiment of Infantry.

Lieutenant John Bowyer, Captain, vice Thomas Lewis, resigned, 14th January, 1799.

Lieutenant Aaron Gregg, Captain, in pursuance of the act of 16th July, 1798.

Lieutenant John Steele, Captain, ditto.

Ensign David Fero, Lieutenant, vice Shanklin, resigned, 3d October, 1798.

Ensign George Strother, Lieutenant, vice Bowyer, promoted, 14th January, 1799.

Ensign William Scott, Lieutenant, vice Gregg, promoted.

Ensign William R. Boote, ditto, vice Steele, promoted.

Ensign Jacob Wilson, Lieutenant, in pursuance of act of 16th July, 1798.

Ensign Peter P. Schuyler, of the 2d, Lieutenant, ditto.

Samuel Lane, Maryland, Ensign.

Jonathan Freeman, New Hampshire, Ensign.

Patrick McCarty, Virginia, do.

Matthew Arbuckle, Virginia, do.

John Horton, Georgia, do.

John Saxon, South Carolina, do.

William Taylor, South Carolina, do.

James Ryan, North Carolina, do.

Fourth Regiment of Infantry.

Lieutenant Peter Grayson, Captain, vice Preston, resigned, 31st July, 1798.

Lieutenant Jonathan Taylor, Captain, in pursuance of act of 16th July, 1798.

Lieutenant Robert Purdy, Captain, ditto.

Ensign Richard Chandler, Lieutenant, vice Grayson, promoted, 31st July, 1798.

Ensign George Salmon, Lieutenant, vice Taylor, promoted.

Ensign John Campbell, Lieutenant, vice Purdy, promoted.

Ensign James Bomer, Lieutenant, in pursuance of act of the 16 July, 1798.

Ensign John Haines, Lieutenant, ditto.

Samuel McGuire, Virginia, Ensign.

Thomas Blackburn, do. do.

Daniel Newman, North Carolina, do.

James Love, do. do.

Thomas Eastland, Kentucky, do.

James Desha, Tennessee, do.

JOHN ADAMS.

March 1, 1799.

Gentlemen of the Senate:

I nominate Joshua Head, of Massachusetts, to be Collector of the district of Waldoborough, and Inspector of the Revenue for the same port, in the place of Waterman Thomas, superseded.

JOHN ADAMS.

March 1st, 1799.

The messages were read.

Ordered, That they lie for consideration.

SATURDAY, MARCH 2, 1799.

The Senate proceeded to consider the message of the President of the United States, of the 1st instant, and the nominations contained therein, of Jacob Kreemer, and others, to office; and, after progress,

Ordered, That the further consideration thereof be postponed.

The Senate proceeded to consider the message of the President of the United States, of the 1st instant, and the nomination contained therein, of Joshua Head, to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate Robert Ritchie, of Pennsylvania, to be the Consul of the United States for Port au Prince, in the Island of St. Domingo.

JOHN ADAMS.

March 2d, 1799.

The message was read.

Ordered, That it lie for consideration.

The following written messages were received from the President of the United States, by Mr. Shaw, his Secretary:

Gentlemen of the Senate:

I nominate the following gentlemen for offices in the Army:

Infantry.—Lieutenant-Colonels.

Nathan Rice, Massachusetts. | Richard Hunnewell, Massachusetts.

Major.

William Jones, Massachusetts.

Captains.

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| Phineas Ashman, | Massachusetts. | James Read, | Pennsylvania. |
| Joseph Peirce, jun. | do. | Benjamin Gibbs, jun. | do. |
| Arthur Lithgow, | do. | James Ashman, | do. |
| Jonathan Andrews, | Rhode Island. | Valentine Brothers, | Maryland. |
| George Woodward, | Vermont. | John W. Hacket, | do. |
| Philip Cortland, | New York. | Jonathan Hodgson, | do. |
| Walter K. Cole, | New Jersey. | Nathaniel Henry, | Virginia. |

Lieutenants.

| | | | |
|----------------------|----------------|-------------------|---------------|
| Samuel Mackey, | Massachusetts. | Cromwell Pierce, | Pennsylvania. |
| Benjamin Beale, jun. | do. | Henry Westcott, | do. |
| Charles P. Phelps, | do. | Nelson Wade, | do. |
| Edmund Soper, | do. | Lewis Howard, | do. |
| Daniel Bissell, | Vermont. | James Battel, | Delaware. |
| Isaac Putnam, | do. | William Savin, | Maryland, |
| James Smith, | New York. | Charles Clements, | do. |
| Richard Baldwin, | do. | Van Bennet, | Virginia. |
| George M. Ogden, | New Jersey. | Felix Wilton, | do. |
| Thomas Swearingen, | Pennsylvania. | | |

Ensigns.

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| Seth Bannister, | Massachusetts. | John Adlum, | Maryland. |
| Samuel Winter Church, | do. | Edward Ford, | do. |
| Christopher Whipple, | Rhode Island. | Charles McCallister, | Virginia. |
| John W. Brownson, | Vermont. | John Heiskell, | do. |
| William Morrow, | Pennsylvania. | Marcus Combs, | do. |
| Jabez Caldwell, | Delaware. | Willis Wells, jun. | do. |

Cavalry.—Captains.

Charles F. Mercer, Virginia, vice Laurence Lewis, declined.
James Burn, South Carolina.

JOHN ADAMS.

*March 2d, 1799.**Gentlemen of the Senate:*

I enclose the copy of a letter of the 6th ult. from Governor St. Clair, and the copy of the certificate therein mentioned, of the nomination of ten persons, of whom five are to be selected to constitute the Legislative Council for the Territory north-west of the river Ohio. I have accordingly selected, and now nominate Jacob Burnet, James Findlay, Henry Vanderburg, Robert Oliver, and David Vance, to be the members of the Legislative Council of the Territory of the United States north-west of the river Ohio.

JOHN ADAMS.

March 2d, 1799.

The messages were read.

Ordered, That they lie for consideration.

SUNDAY, MARCH 3, 1799.

The Senate proceeded to consider the message of the President of the United States, of the 2d instant, and the nominations contained therein, of Jacob Burnet, and others, to office. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the message of the President of the United States, of the 1st instant, and the nominations contained therein, of Jacob Kreemer, and others, to military appointments. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively; except to that of Ranna Cosset, to whose appointment they do not advise and consent.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider the message of the President of the United States, of the 2d instant, and the nominations contained therein, of Nathan Rice, and others, to military appointments. Whereupon,

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively; except that of Samuel Macke, postponed.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider the message of the President of the United States, of the 2d instant, and the nomination contained therein, of Robert Ritchie, to office. Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

Attest:

SAM: A. OTIS, *Secretary*.

END OF THE SIXTEENTH SESSION.