SUPPLEMENTARY

Documents communicated by the president, December 10, 1805.

[COPY.]

Natchitoches, Oct. 2, 1805.

Personally appeared before me, John Sibley one of the justices of the peace for the county of Nachitoches, Gaspard Bodin, Lewis Bodin and Andrew Chamar, all of Natchitoches, aforesaid, who being duly sworn, deposed and said, that on the eighth day of September last, they, (the deponents) were all travelling in company, from Nachitoches to Oppolousa on the usual road; & that when within fourteen or fifteen miles of the Oppolousa church, they were met by five armed Spanish soldiers on horseback, who drew their arms upon them and ordered them to stop; one of the deponents, (Madam Bodin) who speaks Spanish well, asked the one who appeared to be the commander of the party, what business he had to order them to stop, that they were all Americans, and that was American ground. The commander of the Spanish party replied that he had a right to command there, & would do as he pleased; and that he must have such a horse for the use of the king, (pointing to Mr. Chamar's) which he immediately took possession of, and took away with them, proceeding on the Nacogdoche road. And the deponent, Chamar, has never seen or heard of his horse since.

(Signed) GASPARD BODIN,
LEWIS BODIN,
ANDREW CHAMAR.

Sworn to, before me the day above written.

(Signed) JOHN SIBLEY, J. P.

A true copy of the original deposition.

(Signed) JOHN SIBLEY.

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Natchitoches, Oct. 3, 1805.

Personally appeared before me, Jno. Sibley, one of the justices of the peace for the county of Natchitoches, Francis Roban, of said Natchitoches, aged twenty-one years, who, being duly sworn, deposeth and saith, that about the 10th of September last himself being in the employ of Messrs. Oliver and Case of Nachitoches, was, with Joseph Lucas, conducting from the Caddo nation to Nachitoches, 18 horses, packed with about eleven hundred deer-skins; and in the Bayou settlement, they stopped for the night at the plantation of a Mr. Pisot.

Next morning the deponent had occasion to go to the house of Mr. de Soto, about half a league distant, who is a syndic, and at whose house the detachment of Spanish soldiers or guard, is stationed. Soon after his arrival at de Soto's house, a corporal of the guard called him into a small apartment in de Soto's house, under pretence of speaking to him. As soon as he entered the room the corporal told him that he was a prisoner, and placed a centinel at the door; then told him they wanted to take Oliver and Case, or either of them, and that if they did not find them, he, the deponent should pay for it. They kept him confined in the room from about eight in the morning till one in the afternoon. They then removed the deponent on his own horse, with one armed soldier before him and another behind, and ordered him to shew Oliver and Case. He conducted them in that manner about eight miles, where he understood Mr. Case had been to Mr. Doley's. Arriving there, and not finding him, the deponent was left at Mr. Doley's under a guard, and the corporal went to some houses near by in the neighborhood, to search for him, but could not find him; after which they set off in the same order in which they came, to return back to de Soto's. On the way they discovered a fresh trail of horses crossing the road, & leading from Mr. Pisot's plantation towards the plantation of Mr. Roban, which they concluded to be the trail of Lucas, with the packs &c.—The deponent then attempted to escape from them, but was overtaken and tied with his hands behind him, with a coarse hair rope; they then put him on his horse, one of the Spaniards leading his horse by a rope, and another following behind and holding the other end of the hair rope with which the deponent's hands were tied. It was at this time towards eight o'clock in the evening, the moon shone bright; they followed the trail leading towards the plantation about two miles and a half, and found all the horses grazing. The Spaniards went immediately to gathering them up, and took possession of them all; drove them into a pen belonging to the plantation, and placed a guard over them; after which they untied the deponent, drove him into the pen with the horses, and kept him under guard amongst them the remainder of the night. After the horses and the deponent were thus penned up together, the corporal armed himself with a pair of pistols, and, with a rope under his coat set off for Lucas's camp, the light of which was in sight, saying he would go and tie Lucas. He was gone about a quarter of an hour, when he came running back, much out of breath, and exclaimed, "Blast the Indian, he wanted to shoot me with his arrow!" Soon after the Indian came up; the corporal took his gun and presented at the Indian, who replied, "You had best be easy, for I am not a child; you may thank me that you are here now." The corporal then spoke to the Indian, told him he was sorry for what he had done; it was in a passion; shook hands with him, &c.

The Indian, who was an Yattasse, then told the deponent to tell the corporal that he (the Spaniard) had wanted to take Lucas, but if he had taken him he should not have tied him or taken him off. The Indian afterwads related to him, the deponent, how the corporal came to the fire where Lucas & himself saw him coming & rose up; the coporal called to him and told him he wanted to speak to him; Lucas saw him armed, and discovered the rope he had, and retreated a few steps from the fire; the corporal told him to stop, or he would shoot him; and Lucas told him he would not stop, and ran off. The Indian at the same moment drew his bow to shoot the corporal, who likewise ran and hid himself in the cornfield. The deponent farther saith, that while he was imprisoned in the horse-pen with the horses, the Indian came into the pen to him, and staid with him the remainder of the night. Some time in the night he proposed to the deponent to assist him, and they would tie the two Spaniards and take off the horses; but if he was afraid to attempt that, he, the Indian, would kill them both if the deponent would consent to it.

The deponent farther says, that the next morning the Spaniards set off, with him and all the horses, for De Soto's house, and as they were going by Mr. Pisot's house, on their way, he requested leave to go in to get a drink of water, and made his escape out of the back door, hid himself in a cotton field, from thence into a thicket, where he remained hid till night, leaving horse, saddle, and bridle at Mr. Pisot's gate, which two Spaniards took off.

In the evening he came into Mr. Pisot's house: Mr. Pisot gave him some victuals and advised him to make the best of his way for Natchitoches, for the Spaniards were determined to catch him, and had given him positive instructions to take him if he could, bind him and bring him to the guard: and that they had started off all the horses for Nacogdoches. The deponent set off immediately and travelled all night, avoiding as much as he could the main road, understanding that there were Spaniards posted on the road to way-lay him. About an hour before day light he arrived at Mr. Doley's and found the Spaniards had arrived there with all the horses, before him, and a centinel guarding them, his own horse among the rest. Further the deponent saith not.

(Signed) his
FRANCIS ⋈ ROBAN.
mark.

Sworn before me.

(Signed) JOHN SILLEY.

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Extract of a letter from governor William C. C. Claiborne, to the secretary of war, dated

New-Orleans, March 15, 1804.

SIR,

"In consequence of a letter I received from Mr. Joseph Chambers, the U. States factor at fort St. Stephen, informing me that he had a quantity of peltry, &c. ready for exportation, and desiring that I would make arrangements with the Spanish authorities to secure to articles to and from the factory a passage free from interruption or duties I addressed to the governor of West-Florida (who is now in this city) a letter, of which the inclosed, No. 1, is a copy, and on this day received an answer, of which No. 2 is a copy. From these documents you will discover, that the interest of the factory is, in a measure, subjected to the caprice of a Spanish officer.

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Copy of a letter from governor Claiborne to governor Folch, dated

New-Orleans, March 7, 1804.

SIR,

The president of the United States, with a view to preserve a good understanding with the Choctaw Indians, has established a factory or trading-house at fort St. Stephens, on the Tombecbee. The *goods* transmitted to this factory, and the *peltry*, &c. exported therefrom, are the property of the United States, and I persuade myself that on their *passage* by the way of Mobile, no duties will be exacted or interruption offered by the authorities of Spain.

I beg leave to remind your excellency, that by a treaty between the United States and his Catholic majesty they are mutually bound to restrain the Indians, within their respective limits, from committing hostilities against the adjacent settlements of either power. The prosperity, therefore, of the factory at fort St. Stephens, is interesting to both our nations, since the influence which the American government may acquire in the Choctaw councils will be used not only to secure peace and safety to our own frontiers but to the dominions of his Catholic majesty.

Accept assurances of my great respect and high consideration.

WILLIAM C. C. CLAIBORNE.

His excellency governor Folch.

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Copy of a letter from governor Folch, to gov. Claiborne, dated New-Orleans, March 15, 1804.

SIR,

In order to answer your letter of the 7th instant, with due propriety and according to the spirit of the royal orders prevailing on the subject, I consulted the intendant, Mr. John D. Moralis, who has given me his opinion in the following terms:

"My opinion, sir, respecting the particulars related to governor Claiborne's letter to you, is, that we cannot deviate from the order given to us by his Catholic majesty, which I have transcribed to you in my last of the 8th instant. For the same reason, when his excellency gen. Wilkinson, requested to allow the pass of two American vessels, one in the spring, the other in the fall, which I did not grant, and his majesty approved my conduct and caused the treaty to be carried into execution."

These circumstances will convince your excellency, that it is not in my power to comply with your request; however, I will represent the case to the king, and inform you of the result as soon as possible.

Accept assurances of my respect, and consideration,

(Signed) V. FOLCH.

His excellency gov. Claiborne.

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Extract of a letter from Joseph Chambers, United States factor, to the secretary of war, dated Chaptaw Trading House, April 11, 1804.

"It may not be improper in me to state, that it will be impossible to continue the trading house on the river Tombigby, and to afford to the Indians that friendly accommodation intended by the government, without incurring certain loss, unless we are speedily freed from the heavy exaction of 12 per centum, demanded by the Spanish officers at Mobile, on all exports that pass this post, and the same on imports, making together nearly one-fourth per centum."

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Extract of a letter from governor Claiborne to the secretary of war, dated New-Orleans, 20th April, 1804.

"In conformity with my advice, Joseph Chambers, United States factor for the Chotaw nation, has shipped a quantity of peltry for Philadelphia, (via New-Orleans). On the passage of the peltry down the Mobile river a duty was demanded by the Spanish officers at the town of Mobile, and, which Mr. Chambers paid; not, however, without entering a *protest* against the proceeding, *a copy of which* I now enclose you.

Some provisions, sent by the contractor from this city to fort Stoddart, were also detained at Mobile until a duty of 12 per cent. was paid thereon; duties are also exacted on all exports passing down the Mobile, and paid very reluctantly by our citizens.

The Spaniards are fortifying Pensacola and the town of Mobile; at the former place there are to be stationed five or six hundred men, and at the latter, a battalion of artillery and one company of dragoons are now employed."

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Copy of the protest of Joseph Chambers, United States factor.

Whereas, by the order of the proper officers of the government of the United States of America 60 bales, three hogsheads and one barrel of peltries and furs the property of said government, collected at the governmental trading house established by authority for the friendly accommodation of the Choctaw nation of Indians, was directed to be transported from said trading house, in the county of Washington, Missisippi territory, by descending the Tombigbee or Mobile river, and from thence to the city of Philadelphia, in the Atlantic part of the United States, (via New-Orleans). The said cargo of peltries and furs being on its passage as aforesaid, at the mouth of said river, at the port of Mobile, the officers of his most Catholic majesty, the king of Spain, did at that post demand a duty of 12 per cent. upon their estimated value of said cargo, to be paid for the use of his majesty, and it was then made known and properly certified to the said officers that the said peltries and furs were the property of the government of the United States, and was then on its passage from one part thereof to another; notwithstanding which the said officers did, on the 13th April, 1804, detain and stop the said cargo at the post of Mobile, and did then and there refuse to permit it to proceed on its passage until the said duty of 12 per cent. amounting to 182 dollars and 68 cents, was paid.

Now the undersigned, agent to the United States, having paid the aforesaid sum of 182 dollars and 68 cents, not admitting the right of his most Catholic majesty's officers to exact or impose the aforesaid duties, in manner and form aforesaid, cannot suffer a proceeding, so unaccommodating and apparently unjust, to pass with *tacit* acquiescence and in compliance with his official obligations, he enters this his remonstrance and *solemn protest*.

Because the exaction of a duty upon the property of a government, passing upon navigable waters (which are the common highway of nature) from one part of its territories to another, although this passage might intersect the limits of a different government, is a violation of a right which ought not to be questioned by nations friendly to each other.

Because his most Catholic majesty has manifested a disposition friendly, liberal & just towards the government of the United States, and the chief magistrates of each nation have mutually cultivated peace, harmony and good-will, between their respective citizens and subjects. It is therefore supposed that this proceeding is without his majesty's orders or his knowledge, and that it has probably emanated from the same source from which the unauthorised act of shutting the port of New-Orleans against the U. States' right of deposit, in the year 1802, proceeded. That the proceedings aforesaid may be duly made known to his most Catholic majesty, the king of Spain, and to the president of the U. States of America, and thereby become the subject of proper investigation, this remonstrance and protest is made, and delivered to col. Maximilian Maisant, commandant political and military at Mobile.

Done at Mobile this 13th April, 1804.

(Signed) JOSEPH CHAMBERS,
Agent to the Choctaw trading-house.

A TEACHER Wanted.

ONE well qualified to teach the English Language grammatically, and Geography, will meet with encouragement.—Apply at this office. Jan. 3. d3t§

FROM THE NATIONAL INTELLIGENCER.

We lately published a report of the committee of the senate on the projected road to unite the Atlantic with the Western country. This object yields in importance to few that can be named within the scope of congressional powers. We, therefore, trust that it will receive the attention it merits. The following letter from Mr. ELIE WILLIAMS to a member of congress, is offered as throwing light generally on the subject, without any intention of the editor to intimate an opinion respecting the best route for the contemplated road:

City of Washington, Feb. 12, 1804.

DEAR SIR,

In conformity to your request, I herewith submit a few observations relative to the road bill now under consideration in congress.

I presume that the object of the government in this institution, is not merely to facilitate the conveyance of the mails, but that it contemplates a measure, which in its consequences, will operate as a cement in the union, inasmuch as it will encrease the attachment of the western people to the general government, and to the Atlantic shore: I mean the opening of one great and easy avenue through the mountains and rugged space which lies between the seat of the general government and the western country.

With this grand object in view your bill very properly directs the location of a point on some part of the Potomac (that river having its source in a part of the Allegany mountain which lies nearest the city of Washington) and no doubt contemplates the location of such a point westward of the Laurelhill, as may be thought best calculated to accommodate the largest possible scope of county on that side. The fixing of these points then constitutes the most important part of the business, and will of course become a subject of deliberate and careful enquiry. How far my ideas are correct in this enquiry, can only be determined by time and experience; I am however under impressions that Cumberland on the Potomac, and the mouth of Georges creek on the Monongahela, are points worthy of attention in the commencement of this great establishment. Various considerations favor this direction of the road. It would enter the western country at a point which, in my opinion embraces the largest possible latitude in the calculation of general utility and the accommodation of the country settled and capable of settlement, and by being extended to the nearest point on the Ohio at or below Wheeling, would, from the circuitious course of the Monongahela and Ohio rivers, increase these advantages in a degree worthy of consideration. In this direction the road would lie in the centre of the richest and and best settled parts of the Monongahela conntry, and would afford an important accommodation to an establishment in the vicinity of Laurelhill a situation which commands in a high degree the requisite resources of a public arsenal and laboratory, from whence, ordnace and military stores could be transported at will to the seat of governmen or any part of the Mississippi; the Laurel Hill abounding in iron ore of various qualities will, with the copper and lead of the Illinois, the sulphur and saltpetre of Kentucky, and other resources of our country, at some future period, render our military and naval stores completely independent of foreign countries.

The towns and settlements on each side of this grand road, will provide for their own accomodation by carrying post and other roads into it, and from the point mentioned on the Ohio, mails may pass to Detroit by way of Sandusky, accommodating on their way, the settlements rapidly forming on the military donation land, on the waters of Muskingum, and the Connecticut settlement, on the Conyoga and lake Erie, and from the same point mails may pass to Marietta, to Lancaster on the river Hochockin to Chillicothe, on the Sciota, and proceed to Fort Wayne, or Post Vincennes and Kaskaskias.

I mention Cumberland because I think it the highest point on the Potomac to which navigation can be relied on, and because by being at the confluence of the north branch and Wills creek, the improvement of the navigation of both these streams will thereby meet with encouragement. Although boats have come from higher points up the north branch of Potomas, yet from the circumstance of the whole of its navigable parts lying almost south of Cumberland, little or no advantage could be gained as to distance by land, by beginning the road at New-Creek (the highest point of safe navigation in the best season) instead of Cumberland, and the difference of distance in getting up by water to these points is nearly or quite twenty miles. If the object of the institution was merely the establishment of post roads, then Morgan-town, Clarkesburg, Marietta, Chilicothe and other remote places could be provided for on routes something shorter, but the roads, in that case, must be carried over a great extent of country, mountainous and rough, neither settled nor capable of being so, leaving the most valuable settlements on the waters of the Monongahela and upper parts of the Ohio, much to the north, with very scattered settlements and broken country, for a great extent on the south. On this route there would be a small distance in the Allegany mountain, more level than the other route, but being, what is called glades, and more miry and deep, would in the event of there being made a stone cap't turnpike, cost considerably more than the route on grounds, which, tho' more uneven, abound in the materials for covering the road. But it must be useless for me to trouble you with further observations on a route incapable of serving the purposes which I must suppose the government have in view.

The experience of half a century in the Indian trade has shewn us that exclusive of the trade engrossed by the British North-West company, merchandize taken up the St. Lawrence and to the Illinois by way of the lakes, can be sold on the Missisippi so much lower in price than goods taken up that river, as to give them a decided preference, even as far down the Missisippi as the mouth of the Ohio; the St. Lawrence route affording transportation so much easier than that found in ascending the rapid current of the Missisippi; and I have no hesitation in saying, that if such a road were taken through the Allegany mountain as in my opinion is very practicable, the transportation of merchandize from the seat of government to the mouth of the Ohio would be less expensive than from Orleans to that place. This fact, which I think cannot be controverted, must satisfy us that the trade of the western country must pass through a circular channel, the exportations descending the various branches of the Mississippi through its mouth, and the importations come through the Atlantic states; it remains then, to remove from this channel, the obstructions, which so heavily tax its importations. This certainly is an object of ten-fold value, compared with the expence of effecting it, and is a subject, in which the community are so generally interested, that general joy must result from its meeting the attention and the patronage of government.

My observations, relative to the water-courses and their capacity in navigation, the face and geohraphy of the country mentioned, are founded on information derived from the circumstances of my having been engaged for several years in business which compelled me to traverse the country, in the purchase of supplies for the western army, and in examining and procuring the best means of transportation by land and water in various directions through the western country, and in the transportation of merchandize across the Allegany mountain on various routes. I find, however, that with all these advantages, it is impossible for me in a description by letter, to give you that comprehensive information which the magnitude of the subject requires. This can only be done by a reference to an accurate map of the country.

It will give me pleasure at all times, to promote by any thing in my power the object of your researches.

With highest respect, I am,
Your obedient servant,
ELIE WILLIAMS.

NEW-YORK, January 1.

Letter from his excellency general Armstrong, minister plenipotentiary from the United States, to his excellency Monseigneur Barre-Marbois, minister of the public treasury, and plenipotentiary from his majesty the emperor of the French.

Paris, 5th December, 1804.

The undersigned minister of the United States, to the minister of the public treasury.

SIR,

I had the honor of receiving your letter on the subject of the claim made by Messrs. Nicklin and Griffith, of Philadelphia.

With regard to the facts which you alledge, viz. "that this is an English house, doing only business for English merchants; and that the ship New-Jersey was loaded from the English factories at Canton, and that she belonged to English merchants," I know nothing from any document in my possession. The only written evidence applying to this case, within my reach, is the record of the American commission to which you allude, and which is directly adverse to the suggestion you have made; for I find that the commissioners united in admitting the New-Jersey to have been American property; and that the protest of one of the members of that board against the ultimate decision of the others, was founded, not on the fact of her being English property, but on that of the claimants not having pursued their remedy against the captors, to its proper consequence, viz. to an assurance that they were unable to pay.

On the other hand, though I have, as already stated, no written document, I have had much verbal information which furnishes strong presumptive evidence of two facts—1st, that the New-Jersey was partially or altogether English property; and 2dly, that, whether American or English, she was ensured, that no loss was sustained by the ostensible claimants.

The circumstances which render the first of these facts probable, are, that one, if not both the partners of this house were, recently before the fitting out of the ship New-Jersey, the clerks and carriers of pattern-cards for manufacturing houses in G. Britain; that they have been notoriously the commission-agents of such houses since; that they were not in a condition to fit out a ship of the value of the New-Jersey with their own means; and that if they had assistance, it must have been derived from British sources, as it has not been even pretended they have had any American support.

The circumstances rendering the second fact probable, is in the knowledge of all men acquainted with commerce, as conducted in the United States, viz. that much property committed to the seas on long voyages, and in a state of war, is always insured. Whence the probability that the present claim is pursued, not on account