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To the Senate and House of Representatives of the United States of America.

At a moment when the nations of Europe are in commotion and arming against each other, when those with whom we have principal intercourse are engaged in the general contest, and when the countenance of some of them towards our peaceable country threatens that even that may not be unaffected by what is passing on the general theatre, a meeting of the Representatives of the Nation in both Houses of Congress has become more than usually desirable. — Coming from every section of our country, they bring with them the sentiments and the information of the whole, and will be enabled to give a direction to the public affairs which the will and the wisdom of the whole will approve and support.

In taking a view of the state of our country, we in the first place notice the late affliction of two of our cities under the fatal fever which in latter times has occasionally visited our shores. Providence in his goodness gave it an early termination on this occasion, and lessened the number of victims which have usually fallen before it. In the course of the several visitations by this disease, it has appeared that it is strictly local, incident to cities and on the tide waters only, incommunicable in the country either by persons under the disease, or by goods carried from diseased places; that its access is with the autumn, and it disappears with the early frosts. These restrictions within narrow limits of time and space give security even to our maritime cities, during three fourths of the year, and to the country always. Although from these facts it appears unnecessary, yet, to satisfy the fears of foreign nations, and cautions on their part not to be complained of in a danger whose limits are yet unknown to them, I have strictly enjoined on the officers at the head of the customs to certify with exact truth, for every vessel sailing for a foreign port, the state of health respecting this fever which prevails at the place from which she sails. Under every motive from character and duty to certify the truth, I have no doubt they have faithfully executed this injunction. — Much regret is however been felt, retained from a propensity to identify with this endemic, and to call by the same name, fevers of very different kinds which have been known at all times, and in all countries, and never have been placed among those deemed contagious. As we advance in our knowledge of this disease, as facts develop the source from which individuals receive it, the State authorities charged with the care of the public health, and Congress with that of the general commerce, will become able to regulate with effect their respective functions in these departments. The burthen of quarantines is felt at home as well as abroad; their efficacy merits examination. Although the health laws of the states should be found to need no present revision by Congress, yet commerce claims that their attention be ever awake to them.

Since our last meeting the aspect of our foreign relations has considerably changed. Our coasts have been infested, and our harbours watched by private armed vessels, some of them without commissions, some with illegal commissions, others with those of legal form, but committing piratical acts beyond the authority of their commissions. They have captured in the very entrance of our harbours as well as on the high seas, not only the vessels of our friends coming to trade with us but our own also. They have carried them off under pretence of legal adjudication; but not daring to approach a court of justice, they have plundered and sunk them by the way, in obscure places, where no evidence could be raised against them, maltreated the crews, and abandoned them in boats in the open sea, or on desert shores, without food or covering. These enormities appearing to be unreached by any control of their sovereigns, I found it necessary to equip a force, to cruise within our own seas, to arrest all vessels of these descriptions found hovering on our coasts, within the limits of the gulf

stream, and to bring the offenders in for trial as pirates.

The same system of hovering on our coasts and harbours, under colour of seeking enemies, has been also carried on by public armed ships, to the great annoyance and oppression of our commerce. New principles too have been interpolated into the law of nations, founded neither in justice nor the usage or acknowledgment of nations. According to these a belligerent takes to itself a commerce with its own enemy, which it denies to a neutral, on the ground of its aiding that enemy in the war. But reason revolts at such an inconsistency, and the neutral having equal right with the belligerent to decide the question, the interests of our constituents, and the duty of maintaining the authority of reason, the only umpire between just nations, impose on us the obligation of providing an effectual and determined opposition to a doctrine so injurious to the rights of peaceable nations. Indeed the confidence we ought to have in the justice of others, still countenances the hope that a sounder view of those rights will of itself induce from every belligerent a more correct observance of them.

With Spain our negotiations for a settlement of differences have not had a satisfactory issue. Spoiliations during the former war, for which she had formally acknowledged herself responsible, have been refused to be compensated but on conditions affecting other claims in no wise connected with them. Yet the same practices are renewed in the present war, and are already of great amount. On the Mobile our commerce passing through that river continues to be obstructed by arbitrary denials and vexatious searches. Propositions for adjusting amicably the boundaries of Louisiana have not been acceded to. — While, however, the right is unsettled, we have avoided changing the state of things, by taking new posts, or strengthening ourselves in the disputed territories, in the hope that the other power would not, by a contrary conduct, oblige us to meet their example, and endanger conflicts of authority, the issue of which may not be easily controlled. But in this hope we have now reason to lessen our confidence. Inroads have been recently made into the territories of Orleans and the Mississippi, our citizens have been seized and their property plundered in the very parts of the town which had been actually delivered up by Spain, and this by the regular officers and soldiers of that government. I have therefore found it necessary at length to give orders to our troops on that frontier to be in readiness to protect our citizens and to repel by arms any similar aggressions in future. Other details, necessary for your full information of the state of things between this country and that, shall be the subject of another communication. In reviewing these injuries from some of the belligerent powers, the moderation, the firmness & the wisdom of the legislature will all be called into action. We ought still to hope that time and a more correct estimate of interest as well as of character, will produce the justice we are bound to expect. But should any nation deceive itself by false calculations, and disappoint that expectation, we must join in the unprofitable contest, of trying which party can do the other the most harm. Some of these injuries may perhaps admit a peaceable remedy. Where that is competent it is always the most desirable. But some of them are of a nature to be met by force only, and all of them may lead to it. I cannot therefore but recommend such preparations as circumstances call for. The first object is to place our sea port towns out of the danger of insult. Measures have been already taken for furnishing them with heavy cannon for the service of such land batteries as may make a part of their defence a small armed vessels approaching them. In aid of these it is desirable we should have a competent number of gun-boats, and the number to be competent must be considerable. If immediately begun, they may be in readiness for service at the opening of the next season. Whether it will be necessary to augment our land forces, will be decided by occurrences probably in the course

of your session. In the mean time you will consider whether it would not be expedient, for a state of peace as well as of war, so to organize or class the militia, as would enable us on any sudden emergency, to call for the services of the younger portions, unincumbered with the old and those having families. Upwards of three hundred thousand able bodied men, between the ages of eighteen and twenty-six years, which the last census shews we may now count within our limits, will furnish a competent number for offence or defence, in any point where they may be wanted, and will give time for raising regular forces after the necessity of them shall become certain; and the reducing to the early period of life all its active service cannot but be desirable to our younger citizens, of the present as well as future times, in as much as it engages to them in more advanced age a quiet and undisturbed repose in the bosom of their families. I cannot then but earnestly recommend to your early consideration the expediency of so modifying our militia system as, by a separation of the more active part from that which is less so, we may draw from it, when necessary, an efficient corps, fit for real and active service, and to be called to it in regular rotation.

Considerable provision has been made under former authorities from Congress, of materials for the construction of ships of war of seventy-four guns. These materials are on hand subject to the further will of the legislature.

An immediate prohibition of the exportation of arms and ammunition is all submitted to your determination.

Turning from these unpleasant views of violence and wrong, I congratulate you on the liberation of our fellow citizens who were stranded on the coast of Tripoli and made prisoners of war. In a government bestowed on the will of all, the life and liberty of every individual citizen become interesting to all. In the treaty therefore which has concluded our warfare with that state an article for the ransom of our citizens has been agreed to. An operation by land, by a small band of our countrymen, and others engaged for the occasion, in conjunction with troops of the Ex-Bashaw of that country, gallantly conducted by our late consul Eaton, and their successful enterprise on the city of Derne, contributed doubtless to the impression which produced peace, and the conclusion of this prevented opportunities of which the officers and men of our Squadron destined for Tripoli, would have availed themselves, to emulate the acts of valour exhibited by their brethren in the attack of the last year. Reflecting with high satisfaction on the distinguished bravery displayed whenever occasions permitted in the late Mediterranean service, I think it would be an useful encouragement, as well as just reward to make an opening for some present promotion by enlarging our peace establishment of Captains and Lieutenants.

With Tunis some misunderstandings have arisen not yet sufficiently explained, but friendly discussions with their ambassador recently arrived, and a mutual disposition to do whatever is just and reasonable cannot fail of dissipating these. So that we may consider our peace on that coast, generally, to be on as sound a footing as it has been at any preceding time. Still it will not be expedient to withdraw immediately the whole of our force from that sea.

The law providing for a naval peace establishment fixes the number of frigates which shall be kept in constant service in time of peace; and prescribes that they shall be manned by not more than two thirds of their complement of seamen and ordinary seamen. Whether a frigate may be trusted to two thirds only of her proper complement of men must depend on the nature of the service on which she is ordered. That may sometimes for her safety, as well as to ensure her object, require her fullest complement. In adhering to this subject Congress will perhaps consider whether the best limitation on the Executive discretion in this case would not be by the number of seamen which may be employed in the whole service, rather than by the number of vessels. Occa-

sions often arise for the employment of small, than large vessels; and it would lessen risk as well as expense, to be authorized to employ them of preference. The limitation suggested by the number of seamen would admit a selection of vessels best adapted to the service.

Our Indian neighbours are advancing, many of them with spirit, and others beginning to engage in the pursuits of agriculture and household manufacture. They are becoming sensible that the earth yields subsistence with less labour than the forest, and find it their interest from time to time to dispose of parts of their surplus and waste lands for the means of improving those they occupy, and of subsisting their families while they are preparing their farms. Since your last session, the northern tribes have sold to us the lands between the Connecticut reserve and the former Indian boundary and those on the Ohio, from the same boundary to the rapids, and for a considerable depth inland. The Chickasaws and Cherokees have sold us the country between and adjacent to the two districts of Tennessee, and the Creeks the residue of their lands in the fork of Ocmulgee up to the Uckosuhatche. The three former purchases are important, in as much as they consolidate disjoined parts of our settled country, and render their intercourse secure; and the second particularly so, as, with a small point on the river which we expect is by this time ceded by the Piankeshaws, it completes our possession of the whole of both banks of the Ohio, from its source to near its mouth, and the navigation of that river is thereby rendered forever safe to our citizens settled and settling on its extensive waters. The purchase from the Creeks too has been for some time particularly interesting to the state of Georgia.

The several treaties which have been mentioned will be submitted to both Houses of Congress for the exercise of their respective functions.

Deputations, now on their way to the seat of government from various nations of Indians inhabiting the Missouri and other parts beyond the Mississippi, come charged with assurances of their satisfaction with the new relations in which they are placed with us, of their dispositions to cultivate our peace and friendship, and their desire to enter into commercial intercourse with us. A state of our progress in exploring the principal rivers of the country, and of the information respecting them hitherto obtained, will be communicated so soon as we shall receive some further relations which we have reason shortly to expect.

The receipts at the treasury during the year ending on the 30th day of September last have exceeded the sum of thirteen millions of dollars, which, with not quite five millions in the treasury at the beginning of the year, have enabled us after meeting other demands, to pay nearly two millions of the debt contracted under the British treaty and convention, upwards of four millions of principal of the public debt, and four millions of interest. These payments, with those which had been made in three years and an half preceding, have extinguished of the funded debt, nearly eighteen millions of principal.

Congress, by their act of November 10, 1803, authorized us to borrow 1,750,000 dollars towards meeting the claims of our citizens assumed by the convention with France. We have not however made use of this authority; because the sum of four millions and a half, which remained in the treasury on the same 30th day of September last, with the receipts which we may calculate on for the ensuing year, besides paying the annual sum of eight millions of dollars, appropriated to the funded debt, and meeting all the current demands which may be expected, enable us to pay the whole sum of three millions seven hundred and fifty thousand dollars, assumed by the French convention, and still leave us a surplus of nearly a million of dollars at our free disposal. Should you concur in the provisions of arms and armed vessels recommended by the circumstances of the times, this surplus will furnish the means of doing so.

On this first occasion of addressing Congress since, by the choice of my constituents, I have entered on a