

beyond what could be obtained from the quarries by any exertions which could be commanded. The other parts of the work, which might all have been completed in time, were necessarily retarded by the insufficient progress of the stonework.

TH: JEFFERSON.

JANUARY 5, 1807.

*To the Senate and House of Representatives of the United States:*

I transmit to each House of Congress a copy of the laws of the Territory of Michigan passed by the governor and judges of the Territory during the year 1805.

TH: JEFFERSON.

JANUARY 22, 1807.

*To the Senate and House of Representatives of the United States:*

Agreeably to the request of the House of Representatives communicated in their resolution of the 16th instant, I proceed to state, under the reserve therein expressed, information received touching an illegal combination of private individuals against the peace and safety of the Union, and a military expedition planned by them against the territories of a power in amity with the United States, with the measures I have pursued for suppressing the same.

I had for some time been in the constant expectation of receiving such further information as would have enabled me to lay before the Legislature the termination as well as the beginning and progress of this scene of depravity so far as it has been acted on the Ohio and its waters. From this the state of safety of the lower country might have been estimated on probable grounds, and the delay was indulged the rather because no circumstance had yet made it necessary to call in the aid of the legislative functions. Information now recently communicated has brought us nearly to the period contemplated. The mass of what I have received in the course of these transactions is voluminous, but little has been given under the sanction of an oath so as to constitute formal and legal evidence. It is chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions as renders it difficult to sift out the real facts and unadvisable to hazard more than general outlines, strengthened by concurrent information or the particular credibility of the relator. In this state of the evidence, delivered sometimes, too, under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal actor, whose guilt is placed beyond question.

Some time in the latter part of September I received intimations that designs were in agitation in the Western country unlawful and unfriendly to the peace of the Union, and that the prime mover in these was Aaron

Burr, heretofore distinguished by the favor of his country. The grounds of these intimations being inconclusive, the objects uncertain, and the fidelity of that country known to be firm, the only measure taken was to urge the informants to use their best endeavors to get further insight into the designs and proceedings of the suspected persons and to communicate them to me.

It was not till the latter part of October that the objects of the conspiracy began to be perceived, but still so blended and involved in mystery that nothing distinct could be singled out for pursuit. In this state of uncertainty as to the crime contemplated, the acts done, and the legal course to be pursued, I thought it best to send to the scene where these things were principally in transaction a person in whose integrity, understanding, and discretion entire confidence could be reposed, with instructions to investigate the plots going on, to enter into conference (for which he had sufficient credentials) with the governors and all other officers, civil and military, and with their aid to do on the spot whatever should be necessary to discover the designs of the conspirators, arrest their means, bring their persons to punishment, and to call out the force of the country to suppress any unlawful enterprise in which it should be found they were engaged. By this time it was known that many boats were under preparation, stores of provisions collecting, and an unusual number of suspicious characters in motion on the Ohio and its waters. Besides dispatching the confidential agent to that quarter, orders were at the same time sent to the governors of the Orleans and Mississippi Territories and to the commanders of the land and naval forces there to be on their guard against surprise and in constant readiness to resist any enterprise which might be attempted on the vessels, posts, or other objects under their care; and on the 8th of November instructions were forwarded to General Wilkinson to hasten an accommodation with the Spanish commandant on the Sabine, and as soon as that was effected to fall back with his principal force to the hither bank of the Mississippi for the defense of the interesting points on that river. By a letter received from that officer on the 25th of November, but dated October 21, we learnt that a confidential agent of Aaron Burr had been deputed to him with communications, partly written in cipher and partly oral, explaining his designs, exaggerating his resources, and making such offers of emolument and command to engage him and the army in his unlawful enterprise as he had flattered himself would be successful. The General, with the honor of a soldier and fidelity of a good citizen, immediately dispatched a trusty officer to me with information of what had passed, proceeding to establish such an understanding with the Spanish commandant on the Sabine as permitted him to withdraw his force across the Mississippi and to enter on measures for opposing the projected enterprise.

The General's letter, which came to hand on the 25th of November, as has been mentioned, and some other information received a few days

earlier, when brought together developed Burr's general designs, different parts of which only had been revealed to different informants. It appeared that he contemplated two distinct objects, which might be carried on either jointly or separately, and either the one or the other first, as circumstances should direct. One of these was the severance of the Union of these States by the Alleghany Mountains; the other an attack on Mexico. A third object was provided, merely ostensible, to wit, the settlement of a pretended purchase of a tract of country on the Washita claimed by a Baron Bastrop. This was to serve as the pretext for all his preparations, an allurement for such followers as really wished to acquire settlements in that country and a cover under which to retreat in the event of a final discomfiture of both branches of his real design.

He found at once that the attachment of the Western country to the present Union was not to be shaken; that its dissolution could not be effected with the consent of its inhabitants, and that his resources were inadequate as yet to effect it by force. He took his course then at once, determined to seize on New Orleans, plunder the bank there, possess himself of the military and naval stores, and proceed on his expedition to Mexico, and to this object all his means and preparations were now directed. He collected from all the quarters where himself or his agents possessed influence all the ardent, restless, desperate, and disaffected persons who were ready for any enterprise analogous to their characters. He seduced good and well-meaning citizens, some by assurances that he possessed the confidence of the Government and was acting under its secret patronage, a pretense which procured some credit from the state of our differences with Spain, and others by offers of land in Bastrop's claim on the Washita.

This was the state of my information of his proceedings about the last of November, at which time, therefore, it was first possible to take specific measures to meet them. The proclamation of November 27, two days after the receipt of General Wilkinson's information, was now issued. Orders were dispatched to every interesting point on the Ohio and Mississippi from Pittsburg to New Orleans for the employment of such force either of the regulars or of the militia and of such proceedings also of the civil authorities as might enable them to seize on all the boats and stores provided for the enterprise, to arrest the persons concerned, and to suppress effectually the further progress of the enterprise. A little before the receipt of these orders in the State of Ohio our confidential agent, who had been diligently employed in investigating the conspiracy, had acquired sufficient information to open himself to the governor of that State and apply for the immediate exertion of the authority and power of the State to crush the combination. Governor Tiffin and the legislature, with a promptitude, an energy, and patriotic zeal which entitle them to a distinguished place in the affection of their sister States,

effected the seizure of all the boats, provisions, and other preparations within their reach, and thus gave a first blow, materially disabling the enterprise in its outset.

In Kentucky a premature attempt to bring Burr to justice without sufficient evidence for his conviction had produced a popular impression in his favor and a general disbelief of his guilt. This gave him an unfortunate opportunity of hastening his equipments. The arrival of the proclamation and orders and the application and information of our confidential agent at length awakened the authorities of that State to the truth, and then produced the same promptitude and energy of which the neighboring State had set the example. Under an act of their legislature of December 23 militia was instantly ordered to different important points, and measures taken for doing whatever could yet be done. Some boats (accounts vary from five to double or treble that number) and persons (differently estimated from 100 to 300) had in the meantime passed the Falls of Ohio to rendezvous at the mouth of Cumberland with others expected down that river.

Not apprised till very late that any boats were building on Cumberland, the effect of the proclamation had been trusted to for some time in the State of Tennessee; but on the 19th of December similar communications and instructions with those to the neighboring States were dispatched by express to the governor and a general officer of the western division of the State, and on the 23d of December our confidential agent left Frankfort for Nashville to put into activity the means of that State also. But by information received yesterday I learn that on the 22d of December Mr. Burr descended the Cumberland with two boats merely of accommodation, carrying with him from that State no quota toward his unlawful enterprise. Whether after the arrival of the proclamation, of the orders, or of our agent any exertion which could be made by that State or the orders of the governor of Kentucky for calling out the militia at the mouth of Cumberland would be in time to arrest these boats and those from the Falls of Ohio is still doubtful.

On the whole, the fugitives from the Ohio, with their associates from Cumberland or any other place in that quarter, can not threaten serious danger to the city of New Orleans.

By the same express of December 19 orders were sent to the governors of Orleans and Mississippi, supplementary to those which had been given on the 25th of November, to hold the militia of their Territories in readiness to cooperate for their defense with the regular troops and armed vessels then under command of General Wilkinson. Great alarm, indeed, was excited at New Orleans by the exaggerated accounts of Mr. Burr, disseminated through his emissaries, of the armies and navies he was to assemble there. General Wilkinson had arrived there himself on the 24th of November, and had immediately put into activity the resources of the place for the purpose of its defense, and on the 10th of December

he was joined by his troops from the Sabine. Great zeal was shewn by the inhabitants generally, the merchants of the place readily agreeing to the most laudable exertions and sacrifices for manning the armed vessels with their seamen, and the other citizens manifesting unequivocal fidelity to the Union and a spirit of determined resistance to their expected assailants.

Surmises have been hazarded that this enterprise is to receive aid from certain foreign powers; but these surmises are without proof or probability. The wisdom of the measures sanctioned by Congress at its last session has placed us in the paths of peace and justice with the only powers with whom we had any differences, and nothing has happened since which makes it either their interest or ours to pursue another course. No change of measures has taken place on our part; none ought to take place at this time. With the one, friendly arrangement was then proposed, and the law deemed necessary on the failure of that was suspended to give time for a fair trial of the issue. With the same power friendly arrangement is now proceeding under good expectations, and the same law deemed necessary on failure of that is still suspended, to give time for a fair trial of the issue. With the other, negotiation was in like manner then preferred, and provisional measures only taken to meet the event of rupture. With the same power negotiation is still preferred, and provisional measures only are necessary to meet the event of rupture. While, therefore, we do not deflect in the slightest degree from the course we then assumed and are still pursuing with mutual consent to restore a good understanding, we are not to impute to them practices as irreconcilable to interest as to good faith, and changing necessarily the relations of peace and justice between us to those of war. These surmises are therefore to be imputed to the vauntings of the author of this enterprise to multiply his partisans by magnifying the belief of his prospects and support.

By letters from General Wilkinson of the 14th and 18th of December, which came to hand two days after the date of the resolution of the House of Representatives—that is to say, on the morning of the 18th instant—I received the important affidavit a copy of which I now communicate, with extracts of so much of the letters as comes within the scope of the resolution. By these it will be seen that of three of the principal emissaries of Mr. Burr whom the General had caused to be apprehended, one had been liberated by habeas corpus, and two others, being those particularly employed in the endeavor to corrupt the general and army of the United States, have been embarked by him for ports in the Atlantic States, probably on the consideration that an impartial trial could not be expected during the present agitations of New Orleans, and that that city was not as yet a safe place of confinement. As soon as these persons shall arrive they will be delivered to the custody of the law and left to such course of trial, both as to place and process, as its func-

tionaries may direct. The presence of the highest judicial authorities, to be assembled at this place within a few days, the means of pursuing a sounder course of proceedings here than elsewhere, and the aid of the Executive means, should the judges have occasion to use them, render it equally desirable for the criminals as for the public that, being already removed from the place where they were first apprehended, the first regular arrest should take place here, and the course of proceedings receive here its proper direction.

TH: JEFFERSON.

JANUARY 26, 1807.

*To the Senate and House of Representatives of the United States:*

I received from General Wilkinson on the 23d instant his affidavit charging Samuel Swartwout, Peter V. Ogden, and James Alexander with the crimes described in the affidavit a copy of which is now communicated to both Houses of Congress.

It was announced to me at the same time that Swartwout and Bollman, two of the persons apprehended by him, were arrived in this city in custody each of a military officer. I immediately delivered to the attorney of the United States in this district the evidence received against them, with instructions to lay the same before the judges and apply for their process to bring the accused to justice, and put into his hands orders to the officers having them in custody to deliver them to the marshal on his application.

TH: JEFFERSON.

JANUARY 27, 1807.

*To the Senate and House of Representatives of the United States:*

I now render to Congress the account of the fund established for defraying the contingent expenses of Government for the year 1806. No occasion having arisen for making use of any part of the balance of \$18,012.50, unexpended on the 31st day of December, 1805, that balance remains in the Treasury.

TH: JEFFERSON.

JANUARY 28, 1807.

*To the Senate and House of Representatives of the United States:*

By the letters of Captain Bissel, who commands at Fort Massac, and of Mr. Murrell, to General Jackson, of Tennessee, copies of which are now communicated to Congress, it will be seen that Aaron Burr passed Fort Massac on the 31st December with about ten boats, navigated by about six hands each, without any military appearance, and that three boats with ammunition were said to have been arrested by the militia at Louisville.

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