

Provided, nevertheless, that if any such vessel shall be forced into the harbors or waters of the United States, by distress, by the dangers of the sea, or by the pursuit of an enemy, or shall enter them charged with despatches or business from their government, or shall be a public packet for the conveyance of letters and despatches, the commanding officer, immediately reporting his vessel to the collector of the district, stating the object or causes of entering the said harbors or waters, and conforming himself to the regulations in that case prescribed under the authority of the laws, shall be allowed the benefit of such regulations respecting repairs, supplies, stay, intercourse, and departure, as shall be permitted under the same authority.

Exception as to vessels driven in by distress or by an enemy.

In testimony whereof, I have caused the seal of the United States to be affixed to these presents, and signed the same. Given at the city of
 [L. s.] Washington the second day of July, in the year of our Lord one thousand eight hundred and seven, and of the sovereignty and independence of the United States the thirty-first.

TH. JEFFERSON.

BY THE PRESIDENT:

JAMES MADISON, *Secretary of State.*

No. 12. *Respecting taking Possession of Part of Louisiana.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. Oct. 27, 1810.

A PROCLAMATION.

WHEREAS the territory south of the Mississippi Territory and eastward of the River Mississippi and extending to the River Perdido, of which possession was not delivered to the United States in pursuance of the treaty concluded at Paris, on the 30th April, 1803, has at all times, as is well known, been considered and claimed by them, as being within the colony of Louisiana conveyed by the said treaty, in the same extent that it had in the hands of Spain, and that it had when France originally possessed it.

Preamble as to title of the United States to the territory south of Mississippi Territory, eastward of Mississippi River and extending to the River Perdido. Vol. viii. p. 200.

And whereas, the acquiescence of the United States in the temporary continuance of the said territory under the Spanish authority was not the result of any distrust of their title, as has been particularly evinced by the general tenor of their laws, and by the distinction made in the application of those laws between that territory and foreign countries, but was occasioned by their conciliatory views, and by a confidence in the justice of their cause; and in the success of candid discussion and amicable negotiation with a just and friendly power.

And whereas a satisfactory adjustment, too long delayed, without the fault of the United States, has for some time been entirely suspended by events over which they had no control, and whereas a crisis has at length arrived subversive of the order of things under the Spanish authorities, whereby a failure of the United States to take the said territory into its possession may lead to events ultimately contravening the views of both parties, whilst in the mean time the tranquillity and security of our adjoining territories are endangered, and new facilities given to violations of our revenue and commercial laws, and of those prohibiting the introduction of slaves.

Considering, moreover, that under these peculiar and imperative circumstances, a forbearance on the part of the United States to occupy the territory in question, and thereby guard against the confusions and contingencies which threaten it, might be construed into a dereliction of their title, or an insensibility to the importance of the state: considering that in the hands of the United States it will not cease to be a subject of fair and friendly negotiation and adjustment: considering finally that the acts of Congress tho' contemplating a present possession by a foreign authority, have contemplated also an eventual possession of the said territory by the United States, and are accordingly so framed, as in that case to extend in their operation, to the same:

Now be it known that I, JAMES MADISON, President of the United States of America, in pursuance of these weighty and urgent considerations, have deemed it right and requisite, that possession should be taken of the said ter-

Possession to be taken of said territory.

W. C. C. Claiborne, to execute this order and to act as Governor.

ritory, in the name and behalf of the United States. William C. C. Claiborne, governor of the Orleans Territory of which the said territory is to be taken as part, will accordingly proceed to execute the same; and to exercise over the said territory the authorities and functions legally appertaining to his office. And the good people inhabiting the same, are invited and enjoined to pay due respect to him in that character, to be obedient to the laws; to maintain order; to cherish harmony; and in every manner to conduct themselves as peaceable citizens; under full assurance that they will be protected in the enjoyment of their liberty, property, and religion.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand. Done at the [L. s.] city of Washington, the twenty-seventh day of October, A. D. 1810, and in the thirty-fifth year of the independence of the said United States.

JAMES MADISON.

BY THE PRESIDENT :

R. SMITH, *Secretary of State.*

No. 13. *Directing the British Blockade of the Coast of the United States to be disregarded.*

June 29, 1814. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Recital as to illegality of British blockade.

WHEREAS it is manifest that the blockade, which has been proclaimed by the enemy, of the whole Atlantic coast of the United States, nearly two thousand miles in extent, and abounding in ports, harbors, and navigable inlets, cannot be carried into effect by any adequate force actually stationed for the purpose; and it is rendered a matter of certainty and notoriety, by the multiplied and daily arrivals and departures of the public and private armed vessels of the United States, and of other vessels, that no such adequate force has been so stationed: And whereas a blockade thus destitute of the character of a regular and legal blockade, as defined and recognized by the established law of nations, whatever other purposes it may be made to answer, forms no lawful prohibition or obstacle to such neutral and friendly vessels as may choose to visit and trade with the United States; and whereas it accords with the interest and the amicable views of the United States, to favor and promote, as far as may be, the free and mutually beneficial commercial intercourse of all friendly nations disposed to engage therein, and with that view to afford to their vessels, destined to the United States, a more positive and satisfactory security against all interruptions, molestations, or vexations whatever from the cruisers of the United States:

Public and private armed vessels not to obstruct but assist neutrals trading to the United States.

Now be it known that I, JAMES MADISON, President of the United States of America, do, by this my proclamation, strictly order and instruct all the public armed vessels of the United States, and all private armed vessels commissioned as privateers, or with letters of marque and reprisal, not to interrupt, detain, or otherwise molest or vex, any vessels whatever belonging to neutral powers, or the subjects or citizens thereof, which vessels shall be actually bound and proceeding to any port or place within the jurisdiction of the United States; but on the contrary to render to all such vessels all the aid and kind offices which they may need or require.

Given under my hand and the seal of the United States at the city of Washington, the twenty-ninth day of June, in the year one thousand eight hundred and fourteen, and of the independence of the [L. s.] United States the thirty-eighth.

JAMES MADISON.

BY THE PRESIDENT :

JAS. MONROE, *Secretary of State.*