course both propositions remained before the convention.—

The motion is as follows:

WE the *delegates of the people* of the state of New-York, duly elected in pursuance of concurrent resolutions of the senate and assembly of the said state, passed the —— day of ——, and now met in convention, having fully and fairly discussed the constitution proposed to our consideration, agreed upon by the federal convention held in Philadelphia on the —— day of ——, do make known and declare—

That after the most mature deliberation they have been able to give the subject, a majority of them cannot approve the whole of the said constitution, without amendments or alterations, for the following among other reasons:—

1st. Because the most important powers granted by this constitution, are expressed in terms so general, indefinite and ambiguous, as to leave the rulers in the exercise of them, to act too much at discretion.

2d. The limits of the powers of the general and state governments are not marked out with sufficient precision; nor those of the former so defined as entirely to prevent a clashing of jurisdiction; and there is reason to fear that the state government may be impaired by the general governments in the exercise of powers granted in such general words and by implication only;—especially

3d. Because the constitution gives to the congress an indefinite and unlimited power over all the sources of revenue in the union; by which means there is reason to fear that the individual states will be left without adequate means of discharging debts, or maintaining their civil establishments.

4th. Because the number of representatives are not sufficiently numerous at present to possess a competent knowledge of and attachment to the interests of their constituents, or to afford a reasonable degree of confidence; and no certain ratio of increase is fixed, but left at the discretion of congress.

5th. Because the power of regulating the times, places, and manner of holding elections, though in the first instance given to the respective state legislatures, is yet ultimately placed under the control of congress, by which means they will have it too much in their power to secure their own continuance.

6th. Because an improper mixture of the legislative, executive, and judicial powers are lodged in the senate. It is a maxim in a free government, that the legislative, executive, and judicial departments should be kept separate; though this cannot be effected in all its extent, yet it may be much nearer attained than is done in this system; for the senate not only form a branch of the legislature, but are also associated with the president in the exercise of the most important executive powers, and form the highest judicial court in the nation for the trial of impeachments.

7th. The judicial powers in this constitution, are given in too general and indefinite terms; are so various and extensive, that they may easily be made by legal fiction to extend too far and absorb some of the judicial powers of the respective states. No explicit security is given for trial by jury in common law cases, and the ancient and usual mode of trial in criminal matters is not secured. The appellate jurisdiction both as to law and fact, may deprive the citizen of safety from juries, and render the obtaining justice difficult, dilatory and expensive.

For these and various other reasons, this convention would be induced not to accede to this constitution, did not other weighty considerations interpose; but the strong attachments they feel to their sister states, and their regard to the common good of the union, impel them to preserve it.

This convention have the firmest confidence in the common councils of the people of the United States, and the highest expectations that all the necessary amendments will be produced from their further deliberations: they therefore consent with the utmost chearfulness to abide by the result of such deliberations;—but as some time will be necessary to effect this, the convention will forbear to dissent from their brethren of the other states:—they have therefore agreed to assent to and ratify the said constitution, in the firmest confidence that an opportunity will be speedily given to revise and amend the said constitution, in the mode pointed out in the fifth article thereof; expressly *reserving* nevertheless to this state a right to recede and withdraw from the said constitution, in case such opportunity be not given within —— years.

And this convention do recommend to the congress, that the power to lay and collect taxes and excise, to call out the militia, &c. &c. &c. be not exercised or made to operate on this state in any other manner than is proposed in the amendments recommended by this convention, until the sense of the people of the United States be taken on the propriety of the amendments to the constitution, in one or the other of the modes pointed out in it.

Resolved, That it be recommended to the legislature of this state, to request the congress to call a convention to consider of and propose amendments to this constitution at their first session; and that the amendments agreed to by this convention be transmitted to such convention, when met, to be laid before them.

Resolved, That a circular letter be addressed to all the states in the union, inclosing the foregoing, and earnestly inviting them to join with this convention in requesting the congress at their first meeting, to call a convention of the states, to consider of the amendments proposed by all the states.

On Friday, when the convention met, silence pervaded the house; and it being evident that they were not prepared for a decision, after sitting about an hour, they adjourned till the next day.

On Saturday the question was taken, and it was agreed to take up the last proposition in preference to the one before proposed by Mr. Smith.

It is doubtful what may yet be the result of their deliberation, though there is reason to believe that the last proposition of Mr. Smith affords the groundwork of an adoption.

PITTSBURGH, *July* 5.

Colonel Joseph Mitchel, of Berkely county, Virginia, arrived at this place on the 27th ultimo, from the Indian country. He was captured by the savages the 8th of May last on the Ohio, about twenty miles below the mouth of the Big Miami. There were in the boat with him his son, Alexander Brown and John Lancaster. The boat loaded with whiskey, spirits and dry goods; and some horses on board. The savages had possession of a Kentucky boat, one of the three captured some time before. They had nine oars. They were in advance, and put up a flag; we endeavoured to pass them, but this could not be effected, and were obliged to give up. The savages boarded and took the prisoners in their own boat to shore, behaved with civility, spread blankets to sit upon; marched them thence to their camp about nine miles distant. The sixth day the captain of the band selled colonel Mitchel with a club, and stood over him with a tomahawk, as if about to strike, but did not; but on his recovery bound up his wounds, and gave him grog. In the mean time, Lancaster seeing this, made his escape, and probably reached Kentucky, where he lives. Was marched 22 days, to the Shawanese towns on the Miami, at the distance of three hundred miles, as was said, the greater part through morasses. Five days after was adopted into a family, next day purchased, with Mr. Brown, by traders from Detroit, Scotch and French gentlemen, whose names are, Francis Lapontaine, Mecolay Larrain, George Sharp, George Ironside, Robert Wilson, Celleron, Hyacenthe Lassalle, Francis Marchatere. Antoine Lasselle, Antoine Dupresne, Jacques Godfrey, John Martin, Charles Gouin. A considerable sum was paid by these gentlemen to the savages, at least 150 dollars, for their liberty. Colonel Mitchel was entertained by these gentlemen and treated with great humanity and kindness. Sent by them under convoy in a petiaugre down the Miami to the rapids of that river, about 200 miles distant. Friendly used there by captain M'Kee, and some traders, Mr. Cochran and others furnished with cloaths by captain M'Kee; came thence through the woods to this place. His son still remains at the Wabash towns with the Shawanese with Mr. Purviance, and likewise Mr. Ridout, by Indian intelligence. Mr. Mitchel, as well as Mr. Brown, express the highest gratitude to the gentlemen their deliverers. Mr. Brown arrived here in company with colonel Mitchel.

Wednesday last arrived at this place, his excellency Arthur St. Clair, Esq; governor of the western territory; he will in a few days proceed to Muskingum to hold the treaty with the Indians.

PHILADELPHIA, *July* 16.

Extract of a letter, dated Croisick, near the mouth of the river Loyre, May 8, 1788.

"The northern inhabitants of Europe, such as the Norwegians, English, Dutch, and Danes, have long since acknowledged the superior quality of the salt made here for the preservation of fish. I have been more than once astonished that the Americans should have so long neglected to introduce it in their great and extensive fisheries; no where can they purchase it cheaper, and of more excellent quality, the price of the *muid* (measure equal in weight to three English tuns) delivered on board, free from any charges, is 30l.—It is very probable that ere long it will still be lower by four or five pounds, on account of the immense quantity which the new crop is likely to produce. I could wish that its purity, whiteness, strength and cheapness, might be more generally known to the Americans; I am bold to say that it would generally tend to the improvement of their fisheries.

"As to our harbour, it is situated to the northward of the Loyre, of an easy access and perfectly safe; it has at all times water enough for vessels of 14 or 15 feet draught; those which draw more, are obliged here as well as at St. Martin de Rhey, to remain in the first road, or to go into the river Vilaine, 7 miles off; the additional expence in the first case is 4l. in the second 8l. per *muid*; this is but a small inconveniency compared to those enormous extra charges of 20l. per *muid*, which some American captains have often been exposed to, when through ignorance of our coast or other circumstances, after having carried their vessels to l'Orient, they have found themselves under the necessity of ordering coastwise their cargoes of salt from here."

Extract of a letter from Wyoming, July 9, 1788.

"The sheriff, major Miers, and captain Schoot, with his dragoons, marched up the river with upwards of 50 men; they encamped at Butter-milk falls, and from thence sent captain Ross, with a party of 17 men into the woods, near Mashoping where the insurgents were encamped, with orders to cross the river at Black Walnut Bottom, which they accordingly did, and in that neighbourhood took a number of prisoners, six of whomwe have now under a strong guard; they had nottaken up arms, but are equally guilty. The names of those taken are, Martin Dudley, Joseph Kilborn, Nathan Abbot, Ephraim Tylor, Joseph Earl and Thomas King. The orders of the advanced party were to meet the main body on the third instant at Dudley's house, at Mashoping, where the insurgents were encamped. The detached party performed their orders and arrived near Dudley's at the time appointed, where they expected to meet the main body, commanded by Miers and Schoots; but to their great surprise, when the detached party came to Mashoping they were attacked by the insurgents, who were put to flight by the first fire of our small party. The main body did not arrive till an hour and a half after the battle was over. Had the body came up at the time appointed, they must have killed and taken them all. I hope you will use your influence, that government may offer a reward for those under arms."

July 23. We hear from Biberry, in Philadelphia county, that a reputable farmer, who gave out that he would give six-pence a day to his reapers in lieu of rum or whisky, engaged so many hands by the offer, that they cut down his whole crop of wheat, which consisted of 36 acres, in one day last week. They drank nothing but home made beer and cyder, passed the day in harmony, and all went home perfectly satisfied with themselves and their employer.

A tradesman in this city complained two years ago to an iron merchant, that he could not pay his rent. The merchant asked him how much rum he used in his family in a day. Upon his answering this question, the merchant immediately shewed him that his rum in a year came to more money than his house rent. The calculation so shocked the tradesman, that he determined from that day to buy and drink no more spirits of any kind. In the course of the ensuing year he paid his rent, and bought a suit of cloaths out of the savings of his temperance. He is now in a thriving way, respected and trusted by all who know him.

PETERSBURG, *July* 17.

Copy of a letter from Alexander M'Gillivray, to colonel, Anthony Bleasoe and James Robertson, at Nasbville, Cumberland, dated

Little Taliesee, Upper Creek nation, April 14, 1788.

Gentlemen,

"Mr. Hocket arrived here a few days ago, and delivered me your letters, together with colonel Hawkins's.

Agreeably to your request, I will be explicit and candid in my answer to your's, and will not deny that my nation has waged war against your country for several years past, and that we had no motives of revenge for it; nor did it proceed from any sense of injury sustained from your people—but being warmly attached to the British, and being under their influence, operations were directed by them against you, in common with other Americans.

After the general peace had taken place, you sent us a *talk* by Sam. Martin, which I then accepted, and promised to advise my people to agree to, and which would have been finally concluded on in the ensuing summer and fall; and judging that your people were sincere in their professions, I was much surprised to find, that while this affair was pending, your people attacked the French traders at the Muscle Shoals; killed six of our people who were there trading for silver ware. These men belonging to different towns, and having connexions of the first consequence in this nation—such an unprovoked outrage raised a most vehement clamour, and gave rise to the expedition against Cumberland, that soon after took place; but as that affair has been since amply retaliated, I once again will use my best endeavours to bring about a peace with us:—And indeed, before I had received your dispatches, I had given out strict orders, that on the return of all hunting parties, none should go out on any pretence, until after the first general meeting, which I expect to hold in May next, when all my influence and authority shall be exerted in the manner you wish.

I shall now take leave of this subject, referring you to Mr. Hocket, to whom I have fully explained my sentiments.

I have seen the resolves of congress respecting Indian affairs, as early as January last, besides being notified of the same from general Pickins.—But I have as yet heard nothing of a superintendent, or Georgia commissioner, relating to the business of their commission.

I received his excellency governor Caswell's letter and duplicate, only a short time before the unlucky affair of Cherokee river, so that I deferred writing an answer until I could be satisfied in my own mind, that he might depend upon what I should say to him.—As I abhor every species of duplicity, I wish not to deceive; and if I was not deceived upon settling and terminating the war, I would write now. I have only seen my friend Hawkins upon paper, and I highly honour and esteem him, even in this kind of acquaintance: The excellent character every one gives him, makes him a valuable advocate for your cause. Chance may put us in each other's view, one day or other, and I shall rejoice in having the opportunity of saluting him Friend.—I have endeavoured to make every thing as agreeable to