

REPRESENTATION AND PETITION Of the Representatives elected by the Freemen of the TERRITORY OF LOUISIANA.

To the honorable the Senate, and the honorable the House of Representatives of the United States, in Congress assembled.

The Remonstrance and Petition of the Representatives, elected by the Freemen of their respective districts in the District of Louisiana, humbly shew, (Concluded from our last.)

Your petitioners cannot consider it as necessary to add any other reasons to those given already, and which appear to them grounded upon justice, in order to determine your honorable Houses immediately to repeal that part of the act providing for the government of the District of Louisiana, which places this district under the administration of the governor, secretary, and judges of the Indiana territory.

How far the extraordinary measures contemplated by the fourteenth section of the bill erecting Louisiana into two territories, may, in the opinion of Congress, have been rendered necessary by circumstances, it does not belong to your petitioners to determine.

Here Congress not only acknowledge that they have no right to make a law interfering with, or affecting private contracts or engagements, bona fide & without fraud previously formed;

How different is the condition of the Louisiana! Congress, in the 14th section of the act erecting Louisiana into two territories, seems to acknowledge the validity of some incipient titles to land, for what else can mean these words "Or to make null and void, any bona fide act or proceedings, to obtain a grant for lands done by an actual settler, agreeably to the laws, usages and customs of the Spanish government?"

Now suppose such act or proceeding, agreeably to the laws, usages and customs of Spain, to have actually taken place three years were granted by the Spanish government, after having obtained a full or an incipient grant, for making a settlement thereon.

Your petitioners beg leave to observe further, that it was only on the 10th day of March, 1804, that the United States took possession of the district of Louisiana; it should seem of course that the inhabitants of Louisiana could not be bound by any law of the United States, previously at least to that epoch.

he might have obtained on the 20th day of December, 1803; and as Congress being pleased to confirm such in itself an insufficient title to any actual settler, it is a favor which they may or may not grant, without binding themselves to extend it to the representative of the original holder, unless the express condition of an improvement has been fulfilled.

At what period of time an absolute renunciation of Louisiana was made by the king of Spain, your petitioners cannot ascertain; but they humbly conceive that the sovereignty of the United States in Louisiana did not begin previously to that absolute and unconditional renunciation on the part of the king of Spain.

And if your honorable Houses consider moreover, that time sufficient must be allowed for the Spanish government to make known its final treaty with the French Republic to its agents in Louisiana, (authorised, your petitioners humbly conceive, to grant lands in its name until they received official notice of the treaty which ceded Louisiana to France) and that it is not probable that a government at a considerable distance can be in a greater hurry to take steps by which it divests itself of the sovereignty of a country, than the government which has just acquired that country, and which is on the spot, has taken to have its sovereignty acknowledged there, and that ten months and ten days elapsed after the treaty between the United States and the French Republic, before the United States took possession of Louisiana, your honorable Houses must conclude that there may have been grants for lands obtained from the Spanish government, as to which, those who have obtained them, may have yet more than one year to comply with the laws, usages, and customs of the Spanish government.

Your petitioners (we mean the few who have any knowledge at all of the law respecting Louisiana enacted during the last session of your honorable Houses) find themselves placed between the necessity either of not complying with the conditions on which they received lands from the Spanish government, or of acting in direct contradiction to a law enacted by your honorable Houses; and yet what do those grants amount to which were given since the first day of October, 1800? If your honorable Houses will be pleased to call upon your officers in Louisiana for a correct statement of the quantity of land given since that epoch, by the officers of the Spanish government; your honorable Houses will be satisfied that there has been but a very inconsiderable quantity of land thus disposed of, and disposed of chiefly in favor of hard laboring men, who, owing to the various rumors, which ran all over the country ever since the cession of France was spoken of, the country belonging sometimes to Spain, sometimes to France, sometimes to the United States, sometimes to Spain again; at an immense distance from every source of information, very often not understanding the language of their neighbors; discouraged at first from exhausting their whole in making improvements on lands to which they had obtained an incipient title, from what they conceived the precariousness of those titles; likely to result from the interference of such or such a power to which they were told Louisiana belonged, prevented by your law from complying with the conditions of Spain, when they had not it any longer in their power to doubt that the country was ultimately to remain to the United States, and who at the very moment their confidence had begun to revive, find themselves whatever they may do, liable to be punished, by a free and enlightened nation, for having listened to the dictates of prejudice and placed confidence in the United States.

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place more than nine months subsequently according to the law itself, before the provision of that law can be enforced, and that, in the very face of the third article of the ninth section of the constitution of the United States, which declares "That no bill of attainder or ex post facto law shall be passed"

The 15th section of the law erecting Louisiana into two territories, authorizing the President of the United States "To stipulate with any Indian tribes, owning lands on the east side of the Mississippi, and residing thereon, for an exchange of lands, the property of the United States, on the west side of the Mississippi, in case the said tribes shall remove and settle thereon."

Had the United States bound themselves to exterminate from the face of the earth, every inhabitant of Louisiana, your petitioners do not conceive, that they could have taken a more effectual step towards the fulfilment of the engagement, than the measures contemplated by the 15th section of the law, respecting the district of Louisiana.

Your petitioners humbly conceive, that the tribes of Indians living in your populous states, cannot possibly prove, at any time, dangerous to their white inhabitants, principally dispersed and scattered, as they are, upon an immense, and in many parts very thickly inhabited territory; but your honorable Houses must be sensible, that it would be far otherwise with respect to any habitual residence, those now scattered Indians could make on the west side of the Mississippi.

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case, you yourselves would not consider them worthy to be admitted into a portion of the inheritance of the heroes, who fought and bled for the independence of America.

Your petitioners ask, first For the repeal of the act erecting Louisiana into two territories, and providing for the temporary government thereof.

2dly. That legal steps should be immediately taken for the permanent division of Louisiana

3dly. That a governor, secretary, and judges should be appointed by the president, who shall reside in the district of Louisiana, and hold property therein to the same amount as is prescribed by the ordinance respecting the territory north west of the river Ohio.

4thly. That the governor, secretary, and judges, to be thus appointed, for the district of Louisiana, should, in preference, be chosen from among those who speak both the English and French languages.

5th. That the records of each county, and the proceedings of the courts of justice in the district of Louisiana should be kept, and had as it is the case in a neighboring country, under a monarchical government, and acquired by conquest.

6thly. That supposing the district of Louisiana to be divided into five counties, ten members, two from each county shall be elected by the people, having a right to vote in each county, according to the rules prescribed by the ordinance respecting the north western territory, every two years or such another number as congress may appoint, which said members shall jointly with the governor, form legislative council of said district of Louisiana.

7th. That congress would acknowledge the principle of our being entitled in virtue of the treaty, to the free possession of our slaves, and to the rights of importing slaves into the district of Louisiana, under such restrictions as to congress in their wisdom will appear necessary.

8thly. That congress taking into consideration the distance at which we live from the seat of the general government, which does not allow the general government to be informed with respect to the true interest of this country, but through the agents of that same government, congress should enact a law authorizing this district of Louisiana, to send an agent or delegate to congress, whose powers as to speaking and voting in the house, congress may circumscribe as to them may seem proper.

9thly. That funds should be appropriated for the support, and lands set apart or bought for the building and maintaining of a French and English school in each county, and for the building of a seminary of learning, where not only the French & English languages, but likewise the dead languages, mathematics, mechanics, natural and moral philosophy, and the principles of the constitution of the United States should be taught; independent of the obligation of spreading knowledge, upon which alone a free government can stand in a country, till now unacquainted with your laws and language, a powerful additional interest will result in the opinion of Congress, from the teaching principally of mathematics and natural philosophy, when your honorable Houses reflect that Louisiana abounds with mines of every description, which can never be worked to any advantage, without the powerful engines supplied by these two sciences.

10thly. That every private engagement conformable to the laws of Spain, entered into during the time Louisiana was ruled by the laws of Spain, shall be maintained.

11thly. That any judgment which was considered as final, according to the Spanish law, shall not be revised by any of the tribunals to be established in Louisiana, by the United States.

12thly. That any judgment from which an appeal might be had, according to the Spanish law, to any superior tribunal may be appealed from, to a tribunal of equal dignity within this territory, or the United States, and that a final judgment be had, conformably to the laws of Louisiana, at the time the suits were first brought into court.

And now your petitioners trust their remonstrances and petition to the justice of your honorable Houses, and they do not entertain the least doubt, but that a nation, who in their declaration of independence, has proclaimed that the governors were intended for the governed, and not the governed for the governors, a nation who complained so loudly of their right of representation, a right inalienable to them, and formidable to tyrants only, being violated; a nation who presided to the world, as one of their reasons of separation from England, that the king of England had endeavored to prevent the population of their states; a nation who waged war against their mother country, for imposing taxes on them, without their consent. A nation who flies the Indians, "The merciless Indian Savages, whose known rules of warfare, is an undistinguished destruction of all ages, sexes and conditions, will not be deaf to their just complaints, and by redressing their grievances, will deserve forever, the most unbounded affection of the inhabitants of this district of Louisiana.

Blasphemy with these hopes; your petitioners conceive, that they cannot end their present remonstrance and petition, in a more suitable manner, than by renewing to you, the oath they had administered to them, on the first day of their meeting together in general assembly, by the full

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civil commandant of this district of Louisiana.

And we all swear "to be faithful to the United States, to maintain with all our power the constitution of the said states, and to obey the laws made, and to be made by Congress for the District of Louisiana."

Signed at St. Louis, the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and four, and of the American independence the twenty-ninth.

- Richard Jones Waters, Deputies of New Madrid.
Eliquis Frontentin, Deputies of Cape Girardeau.
Andrew Ramsey, Deputies from St. Genevieve.
Charles Gratiot, Deputies of St. Louis and its Dependencies.
Timothy Kibby, Deputies of St. Charles & its Dependencies.

NEW-YORK, JANUARY 19. Accounts from Gibraltar state, about the 15 November an embargo was laid on vessels not cleared out. A rupture between the United States and the Emperor of Morocco was believed to be near at hand.

The brig Cato, Updike, from Jamaica for New York, with puncheons of rum, to Robert Dickey, got ashore on Wednesday on Raccoon Beach, Long-Island. The captain and mate are the only persons who survived the inclemency of the season—the remainder were frozen to death. The cargo, it is probable, will be preserved.

A letter, received in Boston from Mr. Gavino the American Consul, and dated at Gibraltar on the 8th Nov. last, states, that the disease, which had existed in an alarming degree at that place was greatly abated, and the inhabitants who had fled, were about returning; M Gavino further adds, that he had been severely attacked with the fever together with his whole family; and that he had to lament the loss of a brother and sister who fell early victims to its ravages, though removed to his cottage at Europe that he had also lost a faithful servant & the person entrusted with the care of his business. On the subject of business Mr. Gavino remarks, that it is to be expected trade will shortly revive, when the article of Rice would be worth 7dolls. per Eng. cwt. and Flour 11 dolls. per bbl.

Amos Fitch & Co. HAVE just received and now on hand their fresh assortment of FALL SHOES, of every kind, which are well selected, either for wholesale or retail, and will be sold on very moderate terms. For further particulars, please apply at their Fancy Shoe Store, No. 43, Market street, where a sample of the different kinds will be shown. october 17 w 15c

Robt. R. Richardson, INFORMS his friends and the public generally, that he hath obtained a licence to use and execute the office and employment of BROKER—and has opened his office at the corner of Liberty and Fawcett streets. Any negotiation entrusted to his care shall be punctually and diligently attended to; and, if required, the most enviable secrecy observed. N. B. He will also undertake the settlement of accounts and collection of debts. Cash procured at a reasonable interest for good notes. Wanted to purchase Union Bank of Maryland Stock. June 22

Government Security! NEW-YORK LOTTERY, No. III, FOR THE ENCOURAGEMENT OF LITERATURE Begins Drawing on the Eighth of April next. 25,000 DOLLARS, 10,000 DOLLARS, 5,000 DOLLARS, HIGHEST PRIZES. The scheme contains 31,000 tickets, of which 9913 are prizes—less than two and a half cents to a prize. Deduction 15 per cent. At the session of the Legislature of the state of New York, on Monday, the 12th of November, 1804, a resolution passed the senate, and was concurred in by the House of the Assembly, that the drawing of the said Lottery be postponed until the second Monday in April next, in consequence of the dissolution of one of the managers, and that the Legislature will GUARANTEE THE PAYMENT OF ALL THE PRIZES in said Lottery.

TICKETS, HALVES, QUARTERS AND SIXTHS, are to be had of G. & R. White's PERMANENT LOTTERY OFFICES, Nos. 64, & 36, MARKET LANE, at the following Prices: Whole Tickets, 4s 7 5/8; Quarters, 1 1/8; Halves, 7 1/8; Sixths, 1 1/8. But, as the tickets and shares have not yet such an extensive sale, as to exhaust every part of the United States, they will specially advance in price. Distinct advertisements for selling Bank Notes of any Description, (but French Bank notes are preferred), may have tickets forwarded them by post, to any part of the United, by G. & R. White, with the proper postage, and the entire intelligence sent of their success. CASH advanced for prizes as soon as drawn. We warrant our own Tickets exchanged for Prizes during the Drawing. For the satisfaction of adventurers in Baltimore and its vicinity, the Managers' Official List will be forwarded to the printers of this paper, as soon as possible after the Drawing, when any Person may examine the same numbers. Letters (post paid) may be addressed to N. York, Nov. 21 (24)