

To the politeness of a friend we are indebted for the "Moniteur de la Louisiane," of the 2d of April, from which is taken the following account of the reception of citizen Laussat Colonial Prefect at the city of New-Orleans.—The Consular Arret, defining the powers of the Captain General, Colonial Prefect, and Commissary of Justice, clearly proves the cession of the province of Louisiana by the kingdom of Spain to the French Republic. Citizen Laussat in the capacity of Colonial Prefect, has virtually taken possession of the province. How far the recent order of the court of Spain to reinstate the United States in their right of deposit at New-Orleans, will be respected by prefect Laussat, will soon be demonstrated. The prefect's proclamation, which has lately appeared in the public prints, has also been received.—The translation of this wanting proclamation, as already published, is in substance perfectly correct.

By private correspondence we understand that the Prefect has declared that his court has no knowledge of the occlusion of the port of New-Orleans; on the contrary, had he arrived before this event, it should not have taken place. It is presumed that every facility to an amicable intercourse with the upper settlements, will be extended by the Prefect.

Reception of Citizen LAUSSAT, Colonial prefect of the French Colony of Louisiana, at New-Orleans.—Translated for the Daily Advertiser, from the Supplement to the Moniteur de la Louisiane.

New-Orleans, Saturday, 2d April, 1803.

The Governor of Louisiana dispatched his eldest son, Captain Don Manuel, and M. Calderon, sub-lieutenant, to meet citizen Laussat, Colonial Prefect. The Intendant, on his part, sent Don Raphael Ratnos, Commissary of War, in the custom-house tender. Citizen Laussat ascended the river in the government barque, and entered the city on Saturday last the 26th of March, at 4 o'clock in the afternoon. He landed at the Governor's, under a discharge of the artillery of the forts.

The Colonial Prefect was attended by his etat-major, the officers of the garrison and of the place, together with the principal, civil and ecclesiastical characters.

From thence the Prefect went to the house of M. Bernard Marigny which had been prepared for his reception.

Shortly after, the Governor, attended by a large retinue, waited on him.

On Sunday, and for several succeeding days, the Prefect received the visits of the public officers and principal inhabitants.

He testified, on all occasions, the decisive intention of the French government to promote the prosperity and happiness of this colony, to support good order, to maintain in full force the laws respecting the condition of individuals, to protect religious worship without any change in its establishments, to respect every treaty with neighboring powers, and to carefully cherish with them the ties of amity and confidence.

He announced that the Captain General with the troops of the expedition had in all probability sailed from Bavaria about the last of January, and that they would arrive in this colony about the middle of April. He spoke of the character and views of the Captain-General in such a light as to render his arrival most ardently expected.

The Colonial Prefect spent the rest of the week in visiting the public magazines, and in making, in concert with the Governor, the necessary preparations for the support and lodging of the expected forces.

The government and custom-house dispatch boats returned to the Detour Anglois (English Turn) to bring Madame Laussat and her daughters; who arrived at the Prefecture on Sunday evening.

The Intendant united his exertions with those of the Governor, to afford Citizen Laussat, the Colonial Prefect, a reception due to the government which sent him, from the government which received him.

Extract from the Register of the Deliberations of the Consuls of the Republic.

PARIS, 24th Fructidor, Year 10 of the Republic one and indivisible.

The Consuls of the Republic, on the report of the Marine and Colonies, decree as follows:

Louisiana shall be governed by three magistrates, viz: a Captain General, a Colonial Prefect, and a Commissary of Justice.

TITLE I.
Of the Captain General.

Art. 1. The Captain General has under his immediate orders the land and marine forces, the national guards

and the gendarmerie. He is exclusively charged with the internal and external defence of Louisiana.

2. He provides provisionally, for every military employment, according to the order of gradual advance, as high as chief of battalion or squadron exclusively, and proposes to the minister all the changes to be made in the superior grades.

3. He delivers all passports at Louisiana. He ordains every thing relative to military subjects. He communicates, in behalf of the colony, with the governments of neutral countries, allies and enemies, on the continent of America and in the Antilles. He determines and ordains every year, with the Colonial Prefect, the necessary works and repairs of fortifications, the opening of new roads or communications with old ones. He decrees in conjunction with the Prefect, the state of all the expenses to be incurred in the course of the year, conformably to public exigencies, to be forwarded to the minister with a sketch of the receipts necessary to defray the same. He exercises, in short, all the power heretofore attributed to the Governor's General of colonies, saving always the exceptions in the present arret.

4. The captain general cannot infringe directly or indirectly the functions of the colonial prefect, of the commissary of justice, nor of the tribunals; but he is at full liberty to exact from them every intelligence he shall deem necessary to demand, and which they shall be obliged to furnish, with respect to every department of public service whatsoever.

5. He can moreover, in case of urgent necessity, and on his own responsibility, supercede in whole or part the execution of the laws and regulations, after having on all occasions deliberated with the Colonial Prefect or the Commissary of Justice, according to the nature of the objects, without being prevented by their opinion to the contrary: for this purpose he shall keep a register of deliberations, in which the motives shall be transcribed and signed, a copy of which shall be immediately forwarded to the minister.

6. Every three months a formal duplicate of all the deliberations held in common shall be likewise addressed to the minister.

7. The power of granting the vacant lands of Louisiana belongs to the Captain General in concurrence with the Colonial Prefect, conforming to the established regulations; in case of a difference of sentiment, the voice of the Captain General shall preponderate, the whole subject to the approbation of government.

8. The Captain General nominates, after the delay of ten days *ad interim* to all vacancies in all parts of the administration and of the judiciary order, on the respective presentations of the Colonial Prefect or of the Commissary of Justice, each as concerns himself.—This presentation refers only to places to which government nominates directly in France, and not to inferior employments.

9. All the nominations thus made by the Captain General in the military department, in the administration and judiciary orders, shall not be definitive until confirmed by the First Consul.

10. No place in the different departments of the service can be created but by a decree of the Consuls.

11. All commands, orders and proclamations, emanating from the immediate authority of the Captain General, shall always be prefaced with these words: *In the name of the French Republic.*

12. The Captain General, in case of death, or absence out of the colony, shall *ad interim*, be replaced by the Colonial Prefect. In case both are at the same time absent, the second General Commandant in Louisiana shall have the authority of captain general.

TITLE II.
Of the Colonial Prefect.

Art. 13. The Colonial Prefect had under his direction the administration of the finances, the general accounts, and the destination of the officers of the administration in Louisiana.

14. The Colonial Prefect is exclusively charged in Louisiana, with the civil administration and the superior Police of the Colony; with all that comprehends the levy of contribution, receipts, expenses, accounts, customs, the pay and maintenance of the different establishments, magazines, supplies, consumptions, leases, and rents, sales and purchases, hospitals, baths, salaries of workmen, public labours, ferries and ferry boats, national domains, affairs concerning emigrants, the distribution of waters, maritime inscription, the police of navigation, agriculture and commerce, verification of goods, suppression of contraband trade, division of prizes, the marine invalids, the government of the blacks, public instruction, public worship, privileges of the press; and generally whatever has heretofore been attributed to the Intendants or Magistrates in particular, or that has been assigned to them in common with

the governor general; so far, nevertheless, as is not derogatory to the present Arret.

15. The accounts and all the civil employments of the administration are under the orders of the Colonial Prefect of Louisiana.

16. The officers of administration, exercise, under his authority, the functions of Sub-prefects and Commissaries of the marine and war, in the departments (arrondissements) of the colony assigned to them.

17. With regard to the assessment of the contributions which shall be levied by the government, the Prefect cannot proceed therein, until after having consulted three principal inhabitants and three principal merchants of the colony, who, nevertheless, shall only have a deliberative voice. A process-verbal of their opinion shall be prepared to be forwarded to the minister.

18. The Colonial Prefect, the Sub-Prefects and heads of administration, may require the military force (gendarmerie)—to execute their mandates; indeed, more ample force is necessary, which cannot be refused.

TITLE III.
Of the Commissary of Justice.

19. The Commissary of Justice shall have the superintendance of the tribunals of Louisiana & that of the ministerial officers, established by them: He shall take care that strict account of their proceedings shall be rendered to him, by the presidents of the tribunals, and by the commissaries of government.

20. He shall exercise the greatest care towards a prompt distribution of justice, as well in civil as criminal cases; he shall likewise provide for the safety and salubrity of the public prisons.

21. He shall preside in the tribunals whenever he may think proper, and shall have a deliberative voice.

22. He shall direct the safe keeping of the records and deposits of the civil acts, and superintend the execution of the laws, tariffs and regulations. He shall receive all claims respecting the administration of Justice, and give the necessary consequential orders.

23. Within the first ten days of every month, he shall cause to be made out a statement inspected by the president of each tribunal, and signed by the clerk, as well of the proceedings adjudged in the preceding month, as of those still undecided, and in train of process, to be remitted to the Captain General, who is to render an account thereof to the Ministers.

24. The Commissary of Justice has alone the right to make provisional regulations on the subject of process, without departing from the laws, and to publish the said regulations under the forms prescribed in the 11th article of title 1st, when they shall have been assented to by the captain general. He shall have them registered in the offices of the tribunals, by his own authority.

25. The Agents of government cannot be prosecuted for faults committed in their functions, without the previous authority of the Commissary of Justice.

26. No citizen not attached to public service, can be arrested extra-judicially, but by a *Visa* of the Commissary of Justice; who shall render an account thereof to the minister.

27. The Commissary of Justice shall prepare such laws as he shall judge best adapted to compose the future civil and criminal code of the colony he superintends. His plans shall be communicated to the captain general, and forwarded to the minister, with the process-verbal of their deliberations and respective opinions.

28. He is especially charged with the police respecting vagrants and vagabonds, the disturbers of the public tranquility, against whom he shall issue his mandate of arrest, on condition of prosecuting them before the competent tribunals.

29. He may require the military force, or even more adequate force, if necessary, as well for the execution of his own orders or ordinances; as those of the judgment of the tribunals; which force cannot be refused.

30. The Commissary of Justice, in case of death, or absence out of the colony, shall be replaced provisionally, by the commissary of government, attached to the tribunal of appeal, and the latter by the first of his substitutes.

(Signed)
BUONAPARTE, First Consul,
By the First Consul,
(Signed)
HUGUES B. MARET,
Secretary of State.
Copy conformable with the original.
(Signed) DEGRESS,
Minister of the Marine and Colonies.

New-York, May 15.

MELANCHOLLY OCCURRENCE.
About three weeks since the dwelling-house of the Rev. Asa Dunham, at Shamokin, Northumberland county, Pennsylvania, accidentally took fire and was entirely consumed with its

contents. The fire was discovered by Mr. Dunham and his wife about midnight, when it had arrived at such head as to render an immediate escape necessary for the preservation of life. Mrs. Dunham, however, urged by the impulse of paternal affection, immediately re-entered the house to save, if possible, an aged mother who slept in a lower room. After much exertion in the attempt, and succeeding in removing her parent from the room where she slept; Mrs. Dunham was forced to abandon it; the flames having cut off her retreat by the door, she resorted to one of the lower windows, where she was extricated from the devouring element, tho' not till it had so far affected her life, as to render its duration but a few days of extreme distress. In the upper story of the house were two young men, nephews to Mrs. Dunham; the eldest about 20, the youngest about 13 years of age. Being awakened by their uncle, they were urged to attempt to force off the weather-boarding as the only way of escape; the youngest, soon exhausted in the attempt and overcome by the heat of the fire, resigned himself to his fate; his brother, however, finally succeeded in forcing his way through, by placing a pillow on his head and running with great violence against the weather-boarding; he fell to the ground very much burnt, and survived the catastrophe about the space of ten days. Of the five persons that were in the house when the fire took place, Mr. Dunham is now the only survivor. A scene of more extreme distress has seldom occurred than the one here exhibited. Mrs. Dunham and her nephew were burnt in a manner too shocking to relate. In the most deplorable situation they were compelled to wait a long time exposed to the cold of the night before any assistance or relief could be procured.

BALTIMORE, May 18.

Extract of a letter from an officer on board the United States frigate John Adams, lying in the bay of Gibraltar, dated March 29, 1803.

On the 23d of February, we came to anchor in the bay of Tunis, and shortly after the American consul insisted on our commodore's going on shore and waiting on the bashaw, as the bashaw conceived it to be a respect due to him. The commodore accordingly went on shore, attended by captain Rodgers; a conference however could not be had with him that day, but the next day it was obtained, and the commodore and the bashaw had a dispute, with respect to a Tripolitan brig that was captured by the Enterprize, having Tunisian property on board; the particulars of which I cannot pretend to assert. The day following, the commodore, and captain Rodgers, after having paid their respects to him a second time, left him with an intention of returning on board, when they were overtaken by a guard and arrested, who demanded of the commodore, 34,000 dollars to be paid immediately. He wished to know what was their reason for making this demand, when they produced an account with the seal of the United States affixed thereto, & upon enquiry he found it to be a private debt, due by the American consul to a merchant in that place, which the commodore was obliged to discharge.

The American merchants in London, gave a dinner to Mr. King, on the 28th of March, previous to his return to America. On this occasion, the chancellor of the exchequer, lord Hobart, and several other distinguished characters were present.

WASHINGTON, May 18.

In an article which was published at Bolton, announcing the arrival of Mr. William Eaton from Tunis, is the following passage:

"The Dey positively refuses to receive Mr. Cascart as consul for the United States; and as decidedly rejects cash in lieu of the naval stores, in payment of the annual tribute for the last and present year. According to the statements of Mr. O'Brien there will be an arrearage due that regency, on the 31st Sept. next, of 124,073 dollars; it being the tribute and contingencies of two years; including 20,000, estimated consular present, and 6,500 ransom of the master and four seamen of the brig Franklin, from the Bashaw of Tripoli, through the intervention of Algiers."

"The Bey of Tunis requires and is refused to have, as a demonstration of the real friendship of the President of the United States, a good frigate of thirty-six guns; and sundry articles of smaller consideration, which he has signified to the government. He asserts a right of free intercourse with Tripoli, in contempt of an actual blockade; and de-

clares his determination to hold the United States amenable for all infractions of this assumed right. He has conceived Mr. Eaton, because he says, he must have an American consul with a disposition more congenial to the Barbary interests. Or, in the language of his Minister, more pliable to his views. This chief is endeavouring to negotiate a peace with Portugal, with a view of giving his affairs a greater range, by pulling them into the Atlantic. It is yet uncertain which of his loyal friends, the Danes, Swedes or Americans, will be designated as their prey."

We have the best foundation to support us in remarking, that the Dey's objections to Mr. Cascart were personal, and that the payment of the monies due the Regency is erroneous.

There is now due the Regency of Algiers no more than one year's annuity, equal to 12,000 sequins, or 21,600 dollars, in addition to the expense of ransoming captain Morris and his crew, said to amount 6,500 dollars, and about the sum of 2 or 3000 dollars, for contingencies. Of all these sums the first alone is known to be due the Regency, and it is not believed, that the United States are in arrear even to individuals for the rest.

The treaty with Algiers stipulates, that the annuity shall be paid in Maritime Stores. Owing to the difficulty of obtaining and transporting the articles punctually and to the public advantage, an attempt has been made to vary the payment into cash, this succeeded for the annuity last paid; and it was presumed that it would have been equally acceptable for the one which is in arrear: accordingly 20,000 dollars were received by Mr. O'Brien out of one of the public ships in November last, to pay the annuity if accepted in money, and to answer other pecuniary calls which might arise. It is to be observed that the annuity became due only the month before.

It is evident therefore, that there is and long has been a sufficient sum of money placed in Algiers to comply with all our obligations to the Regency.

As the Dey has not for the last year accepted the proposed commutation, orders are in activity for sending him the stores; and altho' some managing messengers have been sent to Mr. O'Brien respecting the delay in forwarding them, it is not to be apprehended that there is more danger of a rupture on that account than is generally to be feared from the capricious and arbitrary temper of an African Sovereign.

Mr. Eaton's departure from Tunis was occasioned by personal circumstances and does not indicate more danger from the Bey of Tunis. Some requests not authorized by treaty have been made by him, but instructions have been forwarded with a view to do them away or to render their effects ineffectual.

Should Tripoli persevere in her hostilities, there is reason to believe that the change in the mode of conducting our warfare with her, which experience has suggested, with respect to the employment of a proportion of small vessels, adapted to the approach of her coast; will not be without its effect, when combined with other circumstances, in making her sensible of the advantage of returning to a state of amity with the United States on reasonable terms.

DIED

At Philadelphia, on the 9th of May, General Stephens Thomson Mason, one of the Senators in Congress from the State of Virginia. He had arrived in that city on the preceding Tuesday, for medical assistance in a dropsical complaint; but the disease had arrived at too malignant a state to submit to the skill of the faculty, or the power of medicine. In the loss of the General, his country suffers in common with his family, for to both was his public and his private life devoted. In social life, as the faithful husband, the affectionate parent, and the unchangeable friend—in public, the intrepid assertor of his country's liberties, and the principles of the Revolution of 1776. Blessed by Heaven with the most benignant and generous spirit, favoured by education with all the endowments which give genius dignity. Whether in the trying hour of political conflict and persecution, or in the calm of liberty rescued from destruction, he has alike commanded the respect of his adversaries, and the increasing esteem of his friends. Few men have passed through trying times with greater dignity, and resolution, and none with more kindness, even to those whom he opposed. His hostility was not the war of malice, but of a generous patriot; his strife, though it was vigorous, was noble; and even when he combated his opponent in the blaze of his eloquence, the vanquished found himself chastised rather than hurt, overcome, but not wounded by the vehemence of anger or malignity. Gen. Mason has left behind him few who combine talent, temper, and private and public virtue in such happy proportions—yet he died comparatively young in years, being, it is believed, not more than thirty three.