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CONGRESS.

House of Representatives.
Monday, Oct. 24.

LOUISIANA TREATY.

Call for Papers.
[Continued from our last.]

Mr. Nicholson was extremely glad to find that gentlemen on the other side of the House had at length abandoned the ground which they had taken some years ago. He was rejoiced that they were now willing to acknowledge, what they had heretofore most strenuously denied, that the House of Representatives had a constitutional right, not only to call for papers, but to use their discretion in carrying any treaty into effect. That this must now be their impression was evident, or their conduct was surely unaccountable. Why else do they call for papers, why enquire into our title to the province of Louisiana? If the doctrine of a former day was still to be adhered to, why urge this enquiry? If gentlemen are consistent with themselves, if they have not forgot the lessons which they inculcated upon the ratification of the British treaty, this House has no right to call for papers, no right to make enquiry, no right to deliberate, but must carry this treaty into effect, be it good or bad; must vote for all the necessary measures, whether they are calculated to promote the interests of the United States or not. The doctrines of old times, however, are now given up, the ground formerly taken is abandoned.— We shall no longer hear that the Executive is omnipotent, and that the Representatives of the people are bound to vote, blindfolded, for carrying into effect all treaties which the President and the Senate may think proper to make and ratify. He thanked the gentlemen for the admission, and hoped that the country would profit by it hereafter.

He was happy to say that this was not now, nor ever was, the doctrine of himself and his friends. They meant to deliberate, they meant to use their discretion in voting away the treasure of the nation. He agreed with gentlemen, that if a majority of the House entertained any doubt as to the validity of the title we have acquired, they ought to call for papers, and he had no doubt, if there was any dissatisfaction they would call. He himself should have no objection to vote for the resolution if it was confined to proper objects, not indeed to satisfy himself, for he was already fully satisfied, but to satisfy other gentlemen; to satisfy the American people; that the insinuations thrown out about the title, are totally without foundation. The resolution in its present shape, however, was highly improper—it looked to extrinsic circumstances, and contemplated an enquiry into subjects totally unconnected with the treaty with France. What, said Mr. N. has Spain to do in this business? Gentlemen ask if she has acquiesced in our purchase, and call for her correspondence with our government. What is the acquiescence of Spain to us? If the House is satisfied from the information laid on the table that Spain had ceded Louisiana to France, and that France had since ceded it to the United States, what more do they require?—Are we not an independent nation? Have we not a right to make treaties for ourselves without asking leave of Spain? What is it to us whether she acquiesces or not? She is no party to the treaty of cession, she has no claim to the ceded territory. Are we to pause till Spain thinks proper to consent, or are we to enquire whether like a cross child, she has thrown away her rattle, and cries for it afterwards?

The treaty itself, he said, and the conventions attached to it, furnished all the necessary information. By reference to the treaty it would be found, that Louisiana is ceded to the United States with the same boundaries that it had before been ceded by Spain to France; and that France had obliged herself to send a commissary to New-Orleans to receive the possession from Spain and to transfer it to us. For this the United States were to pay fifteen millions of dollars to the French government. But how and when? Not immediately, but till we had actually acquired the possession. And if France shall fail to put us into actual possession, the United States are not bound to pay a single dollar. So that the call for papers can be of no possible use. Suppose these papers should

show that Spain had not acquiesced, what is this to us? Is her pleasure to be a law to the United States?

With regard to the treaty of St. Ildefonso, Mr. N. said, he should have no objection to its being laid before the House, if it was in the possession of the Executive. In all probability, however, this was not the case, as it was known to be a secret treaty on other subjects of great importance between France and Spain. As to the deed of cession spoken of, he really did not understand what was meant, for he imagined it was not expected a formal deed of bargain and sale had been executed between two civilized nations, who negotiated by means of ambassadors. If there were any other papers which could give gentlemen more information, he had no objection either, that these should be laid before them. Not indeed for his own satisfaction, but for that of those who were not already satisfied, if there were any of that description. One very important paper he knew from high authority, was certainly in existence, and possibly might be in the power of the Executive. This was a formal order, under the royal signature of Spain, commanding the Spanish officers at Orleans to deliver the province to the French prefect, which he considered equal, perhaps superior, to any deed of cession; for it was equal to an express recognition on the part of Spain, that France had performed all the conditions referred to in the treaty of St. Ildefonso. It was an acknowledgment, that Spain had no further claims upon Louisiana, and would show that any interference on her part ought to have no influence on the American government.

The call for the correspondence between the government of Spain and that of the United States, if there was any such, he should not assent to, as it could be of no possible importance. The acquiescence or the refusal of Spain, could have no weight on the question, whether we should take possession or not. Any interference on her part would be idle and extravagant. We might as well ask, whether the cession had remained the prerogative of Great-Britain, of Russia, or even the Des of Algiers himself, for they each had as good a right to interpose as Spain had, either of them having fall as good a title to Louisiana. To those parts of the resolution which pointed at the objects he had mentioned, he should have no objection, but he never would consent to call upon the Executive to say, whether Spain, Great-Britain, or any other nation was satisfied with a treaty made between the United States and the French government.

WASHINGTON CITY, Nov. 17.

The following IMPORTANT TRACT was on Monday communicated to Congress by the President of the United States.

AN ACCOUNT OF
LOUISIANA.
Being an abstract of Documents in the Offices of the Departments of State and of the Treasury.

The object of the following pages is to compile the information respecting the present state of Louisiana, furnished to the Executive by several individuals among the best informed upon that subject.

OF the province of Louisiana no general map, sufficiently correct to be depended upon, has been published, nor has any yet been procured from a private source. It is indeed probable, that surveys have never been made upon so extensive a scale as to afford the means of laying down the various regions of a country, which, in some of its parts, appears to have been but imperfectly explored.

BOUNDARIES.

The precise boundaries of Louisiana, westwardly of the Mississippi, though very extensive, are at present involved in some obscurity. Data are equally wanting to assign with precision its northern extent. From the source of the Mississippi, it is bounded eastwardly by the middle of the channel of that river to the 31st degree of latitude: Thence, it is asserted upon very strong grounds, that according to its limits, when formerly possessed by France, it stretches to the east, as far, at least, as the river Perdido, which runs into the bay of Mexico, eastward of the river Mobile.

It may be consistent, with the view

of these notes to remark, that Louisiana, including the Mobile settlements, was discovered and peopled by the French, whose monarchs made several grants of its trade, in particular to Mr. Grosat, in 1712, and some years afterwards, with his acquiescence, to the well known company projected by Mr. Law. This company was relinquished in the year 1731. By a secret convention on the 3d November, 1762, the French government ceded so much of the province as lies beyond the Mississippi, as well as the island of New-Orleans, to Spain, and, by the treaty of peace which followed in 1763, the whole territory of France and Spain eastward of the middle of the Mississippi to the Iberville, thence through the middle of that river, and the lakes of Maurepas and Ponchartrain to the sea, was ceded to Great-Britain. Spain having conquered the Floridas from Great-Britain during our revolutionary war, they were confirmed to her by the treaty of peace of 1783. By the treaty of St. Ildefonso, of the 1st of October, 1800, his Catholic Majesty promises and engages on his part to cede back to the French republic, six months after the full and entire execution of the conditions and stipulations therein contained, relative to the duke of Parma, the colony or province of Louisiana, with the same extent that it actually has in the hands of Spain, that it had when France possessed it, and such as it might be alleged the treaties subsequently entered into between Spain and other states. This treaty was confirmed and enforced by that of Madrid, on the 21st March, 1801. From France it passed to us by the treaty of the 30th of April last, with a reference to the above clause, as descriptive of the limits ceded.

Divisions of the Province.

The province as held by Spain, including a part of West-Florida, is laid off into the following principal divisions: Mobile, from Balise to the city, New-Orleans and the country on both sides of lake-Ponchartrain. First and second German coasts, Catahouche, Fourche, Venezuela, Iberville, Collet-Town, Baton-Rouge, Fausse Riviere, Coupee, Atacapas, Opelousas, Ouachita, Avoyelles, Rapide, Natchitoches, Arkansas, and the Illinois.

In the Illinois there are commandants, at New-Orleans, St. Genevieve, New-Bourbon, St. Charles, and St. Andrews, all subordinate to the commandant general.

Baton Rouge having been made a government, subsequently to the treaty of limits, &c. with Spain, the posts of Manchac and Thompson's Creek, or Feliciana, were added to it.

Chapitoulas has sometimes been regarded as a separate command, but is now included within the jurisdiction of the city. The lower part of the river has likewise had occasionally a separate commandant.

Many of the present establishments are separated from each other by immense and trackless deserts, having no communication with each other by land, except now and then a solitary instance of its being attempted by hunters who have to swim rivers, expose themselves to the inclemency of the weather, and carry their provisions on their backs for a time, proportioned to the length of their journey. This is particularly the case on the west of the Mississippi, where the communication is kept up only by water, between the capital and the distant settlements; three months being required to convey intelligence from the one to the other by the Mississippi. The usual distance accomplished by a boat in ascending, is five leagues per day. The rapidity of the current in the spring season especially, when the waters of all the rivers are high, facilitates the descent, so that the same voyage by water, which requires three or four months to perform from the capital, may be made to it in from twelve to sixteen days. The principal settlements in Louisiana are on the Mississippi, which begins to be cultivated about twenty leagues from the sea, where the plantations are yet thin, and owned by the poorest people. Ascending, you see them improve on each side, till you reach the city, which is situated on the east bank, on a bend of the river, 33 leagues from the sea.

Chapitoulas, first and second German Coasts.—Catahouche.—Fourche and Iberville.

The best and most improved are above the city, and comprehend what is there known by the Paroisse

de Chapitoulas, Premier and second Cote des Allemanda, and extend 16 leagues.

Above this begins the parish of Catahouche, or first Acadian settlement, extending eight leagues on the river. Adjoining it and still ascending is the second Acadian settlement or parish of the Fourche, which extends about six leagues. The parish of Iberville then commences, and is bounded on the east side by the river of the same name, which though dry a great part of the year, yet, when the Mississippi is raised, it communicates with the lakes Maurepas and Ponchartrain; and through them with the sea, and thus forms what is called the island of New-Orleans. Except on the point just below the Iberville, the country from New-Orleans is settled the whole way along the river, and presents a scene of uninterrupted plantations in sight of each other, whose fronts to the Mississippi are all cleared, and occupy on that river from 5 to 25 acres with a depth of 40; so that a plantation of 5 acres in front contains 200. A few sugar plantations are formed in the parish of Catahouche, but the remainder is devoted to cotton and provisions, and the whole is an excellent soil incapable of being exhausted. The plantations are but one deep on the island of New-Orleans, and on the opposite side of the river as far as the mouth of the Iberville, which is 35 leagues above New-Orleans.

Bayou De La Fourche.—Atacapas, and Opelousas.

About 35 leagues from the last mentioned place on the west side of the Mississippi, the creek or Bayou of the Fourche, called in old maps La Riviere des Chitamaches, flows from the Mississippi, and communicates with the sea to the west of the Balise. The entrance of the Mississippi is navigable only at high water, but will then admit of craft of from 60 to 70 tons burthen. On both banks of this creek are settlements, one plantation deep, for near 12 leagues, and they are divided into two parishes. The settlers are numerous, though poor, and the culture is universally cotton. On all creeks, issuing from the Mississippi, the soil is the same as the bank of the river, and the border is the highest part of it, from whence it descends gradually to the swamp. This creek affords one of the communications to the two populous and rich settlements of Atacapas and Opelousas formed on and near the small rivers Teche and Vermillion which flow into the bay of Mexico. But the principal and swiftest communication is by the Bayou or creek of Plaquemine, whose entrance into the Mississippi is seven leagues higher up on the same side, and 33 above New-Orleans. These settlements abound in cattle and horses, have a large quantity of good land in their vicinity, and may be made of great importance. A part of their produce is sent by sea to New-Orleans, but the greater part is carried in batteaux by the creeks above mentioned.

Baton Rouge and its dependencies.

Immediately above the Iberville, and on both sides of the Mississippi lies the parish of Manchac, which extends four leagues on the river, and is well cultivated. Above it commences the settlement of Baton Rouge, extending about 9 leagues. It is remarkable as being the first place, where the high land is contiguous to the river, and here it forms a bluff from 30 to 40 feet above the greatest rise of the river. Here the settlements extend a considerable way back on the east side; and this parish has that of Thompson's creek and Bayou Sara subordinate to it. The mouth of the first of these creeks is about 49 leagues from New-Orleans, and that of the latter 2 or 3 leagues higher up. They run from north-east to south-west, and their head-waters are north of the 31st degree of latitude. Their banks have the best soil, and the greatest number of good cotton plantations of any part of Louisiana, and are allowed to be the garden of it.

Pointe Coupee and Fausse Riviere.

Above Baton Rouge, at the distance of 30 leagues from New-Orleans, and on the west side of the Mississippi is Pointe Coupee, a populous and rich settlement, extending 8 leagues along the river. Its produce is cotton. Behind it, on an old bed of the river, now a lake whose outlets are closed up, is the settlement of Fausse Riviere, which is well cultivated. In the space now described from the

sea as high as and including the last mentioned settlement, is contained three-fourths of the population, and seven eighths of the riches of Louisiana.

From the settlement of Pointe Coupee on the Mississippi to Cape Girardeau above the mouth of the Ohio, there is no land on the west side, that is not overflowed in the spring to the distance of 3 or 10 leagues from the river with from 2 to 12 feet of water, except a small spot near New-Madrid, so that in the whole extent there is no possibility of forming a considerable settlement contiguous to the river on that side. The eastern bank has in this respect a decided advantage over the western, as there are on it many situations which effectually command the river.

Red River and its Settlements.

On the west side of the Mississippi, 70 leagues from New-Orleans, is the mouth of the Red river, on whose banks and vicinity are the settlements of Rapide, Avoyelles and Natchitoches, all of them thriving and populous. The latter is situate 75 leagues up the Red river. On the north side of the Red river a few leagues from its junction with the Mississippi is the Black river, on one of whose branches, a considerable way up, is the infant settlement of Ouachita, which from the richness of the soil, may be made a place of importance. Cotton is the chief produce of these settlements, but they have likewise a considerable Indian trade. The River Rouge, or Red River, is used to communicate with the frontiers of New-Mexico.

Concord.—Arkansas.—St. Charles, and St. Andrew, &c.

There is no other settlement on the Mississippi except the small one called Concord, opposite to the Natches, till you come to the Arkansas river, whose mouth is 250 leagues above New-Orleans.

Here there are but a few families, who are more attached to the Indian trade (by which chiefly they live) than to cultivation. There is no settlement from this place to New-Madrid, which is itself inconsiderable. Above the river you come to Cape Girardeau, St. Genevieve and St. Louis, where, though the inhabitants are numerous, they raise little for exportation, and content themselves with trading with the Indians and working a few lead mines. This country is very fertile, especially on the banks of the Missouri, where there have been formed two settlements, called St. Charles and St. Andrew, mostly by emigrants from Kentucky. The peltry procured in the Illinois is the best sent to the Atlantic market; and the quantity is very considerable. Lead is to be had with ease, and in such quantities as to supply all Europe, if the population were sufficient to work the numerous mines to be found within two or three feet from the surface in various parts of the country. The settlements about the Illinois were first made by the Canadians, and their inhabitants still resemble them in their aversion to labour, and love of a wandering life. They contain but few negroes, compared to the number of the whites; and it may be taken for a general rule, that in proportion to the distance from the capital, the number of blacks diminishes below that of the whites; the former abounding most on the rich plantations in its vicinity.

General Description of Upper Louisiana.

When compared with the Indiana territory, the face of the country in Upper Louisiana is rather more broken, though the soil is equally fertile. It is a fact not to be contested, that the west side of the river possesses some advantages, not generally incident to those regions. It is elevated and healthy, and well watered with a variety of large rapid streams, calculated for mills and other water works. From Cape Girardeau, above the mouth of the Ohio, to the Missouri, the land on the east side of the Mississippi is low and flat, and occasionally exposed to inundations; that on the Louisiana side, contiguous to the river, is generally much higher, and in many places very rocky on the shore. Some of the heights exhibit a scene truly picturesque. They rise to a height of at least 300 feet, faced with perpendicular lime and freestone, carved into various shapes and figures by the hand of nature, and afford the appearance of a multitude of antique towers. From the tops of these elevations, the land gradually slopes back from the river