



AND
North-Carolina State Gazette.

Ours are the plains of fair delightful peace,
Unwar'd by petty rage, to live like brothers.

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LOUISIANA REMONSTRANCE.

To the
CONGRESS of the UNITED STATES,
in SENATE and
HOUSE of REPRESENTATIVES,
Convened.
Concluded from our last.

But if capacity is to be the criterion, and information the preliminary requisite of our admission, let us respectfully enquire what is the nature of this capacity, and information, and where it will most probably be found. By the distribution of powers between the general and state governments, the former have the superintendance of all external relations, and of those internal arrangements, which regard the several states in their national capacity; the residuary powers, retained by the states, are more limited in their operations, and require in their exercise a species of information to be derived only from local sources.—The purest principles will be misapplied, the best intentions will be ill directed, the most splendid efforts of genius will prove ineffectual without an intimate knowledge of the manners, customs, pursuits, and interests of the people, to whom they are applied, or in whose favor they are exerted. Should this reasoning be just, it would appear to follow, that local information should be preferred in a state legislature, to splendid acquirement, when they cannot be united; and should we give the representatives of the United States all the superiority they claim and undoubtedly merit, yet we cannot be accused of presumption, in supposing that we know somewhat more of our own country, and its local interests, than men who are acquainted with it only from report, it will not, we trust, be answered that the members of the council must be selected from the inhabitants; we have already shewn what share this council will probably have in legislation: and the residence of one year is certainly too short to attain information, or secure any thing like a permanence of attachment.

If this local knowledge is necessary to legislate wisely, how much more so is it in order to select discreetly, those on whom this must devolve. The President must necessarily depend on the information of his agents here; without any personal knowledge of the men he must chuse; how can he detect imposition, or counteract prejudice?—How defeat intrigue or secure himself from the reproach of having confided our interests to men, in whom we have no confidence? We might contrast these inconveniences with the evident advantages of a choice made by the people themselves, and the conviction would be irresistible, that the latter possess, exclusively that species of information with respect to character, conduct, circumstances and abilities, which is necessary to a prudent choice of their representatives; but we presume enough has been said to shew that among a people not absolutely sunk in ignorance, the kind of knowledge indispensable to good government, or a selection of rulers, can only be found at home—that the best abilities and the purest intentions will not replace it abroad, and that without it all legislation is tyrannical and oppressive.

Convinced of this truth we find the advocates for our subjection, driven to an argument, at which we have before hinted.—To deprive us of our right of election, we have been represented as too ignorant to exercise it with wisdom, and too turbulent to enjoy it with safety. Sunk in ignorance, effeminated by luxury, debased by oppression, we were, it was said incapable of appreciating a free constitution, if it were denied. The sentiments which were excited by this humiliating picture, may be imagined, but cannot be expressed, consistent with the respect we owe your honorable body. We were willing, however to ascribe it to the want of correct information but we could not avoid wondering that it should be so very defective, as to have drawn from the names of some districts in our country, an argument as to the language spoken

in them, which proved fatal to an important amendment to the bill. We could not imagine what had excited the idea of our effeminy and profusion; and the laborious planter at his frugal meal heard, with a smile of bitterness and contempt, the descriptions published at Washington, of his opulence and luxury.

As to the degree of information diffused through the country, we humbly request that some more correct evidence may be produced than the superficial remarks that have been made by travellers or residents, who neither associate with nor speak our language; many of us are native citizens of the United States, who have participated in that kind of knowledge which is there spread among the people, the others are generally men who will not suffer, by a comparison with the population of any other colony. Some disadvantages as to education in the higher branches of literature, have lately attended us, but the original settlement of the province was marked by settlements peculiarly favorable in this respect, it was made at no distant date; at a period when science had attained a great degree of perfection, and from a country in which it flourished; many individuals possessing a property and rank, which suppose a liberal education were among the first settlers, and perhaps there would be no vanity in asserting that the first establishment of Louisiana, might vie with that of any other in America, for the respectability and information of those who composed it; their descendants now respectfully call for the evidence which proves that they have degenerated so as become totally incompetent to the task of legislation; for our love of order and submission to the laws we can confidently appeal to the whole history of our settlement, and particularly to what has lately passed. In those dangerous moments when it was uncertain at what point our political vibrations would stop; when national prejudice, personal interests factious views, and ambitious designs, might be supposed to combine for the interruption of our repose, when in the frequent changes to which we have been subject, the authority of one nation was awakened before the other had established its power: In those moments of crisis and danger, no insurrection disturbed no riot disgraced us, the voice of sedition was silent; and before a magistrate was appointed, good morals served instead of laws, and love of order instead of civil power; it is then as unjust to tax us with turbulence as it is degrading to reproach us with ignorance and vice.

But let us admit that by some train of reasoning to which we are strangers, by some incomprehensible facility we are cut off from our national rights, and form an unfortunate exception to those general principles on which your revolution and government are founded; that there is no clause for us in the great character of nature, and that we must look for our freedom to another source; yet we are not without a claim—one arising from solemn stipulation, and according to our ideas full, obligatory, and unequivocal.

The third article of the treaty, lately concluded at Paris, declares that "the inhabitants of the ceded territory shall be incorporated into the Union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and in the mean time they shall be protected in the enjoyment of their liberty, property, and the exercise of the religion they profess."

Your honorable body seems to have adopted a construction of this article which would suspend its performance until some period fixed by the principles of the constitution, and to have read the article thus:—"The inhabitants shall be incorporated into the Union, and admitted to the enjoyment of all the rights, &c. so soon as the principles of the federal constitution will permit." We, on the contrary, contend, that the words "according to the principles of the federal constitution," as they are placed in the sentence, form no

limitation, that they were intended as a description of the kind of rights we are to enjoy, or at most relate to the mode in which they were to be conferred, and that the article contemplates no other delay to our reception, than will be required to pass the necessary laws and ascertain the representation to which we are entitled.

The inhabitants of the ceded territory, are to be "incorporated into the Union of the United States." These words can in no sense be satisfied by the act in question. A territory, governed in the manner the act directs, may be a province of the U. States, but can, by no construction, be said to be incorporated into the Union. To be incorporated into the Union, must mean to form a part of it; but to every competent part of the U. States, the constitution has guaranteed a republican form of government; and this, as we have already shewn, has no one principle of republicanism in its composition.—It is, therefore, not a compliance with the letter of the treaty, and is totally inconsistent with its spirit, which certainly intends some stipulations in our favour. But if Congress may govern us as they please, what necessity was there for this clause? or how are we benefited by its introduction? If any doubt however could possibly arise on the first member of the sentence, it must vanish by a consideration of the second, which provides for their admission, to the rights, privileges, and immunities of citizens of the U. States. But this government, as we have shewn, is totally incompatible with those rights. Without any vote in the election of our legislature; without any check upon our executive; without any one incident of self government, what valuable "privilege" of citizenship is allowed us? what "right" do we enjoy? what "immunity" can we boast, except indeed the degrading exemption from the cares of legislation and the burthen of public affairs?

Will it be said, that though our right be admitted, yet Congress are to determine the period when it shall be conferred? This, we apprehend would not only be contrary to the words of the treaty, but would be a solecism in itself. The words, "according to the principles of the federal constitution, to enjoyment of the rights," &c. certainly mean, to such rights, as are secured by the principles of the constitution; or that we are admitted to their enjoyment in such manner as the same principles direct; and at any rate the words "as soon as possible," can never be construed, so as to give a right of deferring it indefinitely. If it may be procrastinated for two years, we see no reason, why it may not be deferred for twenty or an hundred, or totally omitted.—That our verbal construction is a true one, will be evident from pursuing the other exposition to its consequences. If treaty means to say that we shall be admitted as soon as the principles of the constitution will permit, we must look into that instrument to discover what restrictions oppose its immediate performance. We should naturally expect if this reasoning be true, to find some period limited before which we could not become members of the Union; some requisites of population, or other circumstance, to be previously attained or performed; but on the contrary, the powers of admitting new states is vested in Congress, without any restriction whatever, that can be applicable to the present case; there is therefore, nothing that can satisfy these words, if they are construed as a limitation; nothing but the will of Congress is referred to in the constitution. This construction then would prove that the United States had stipulated, to admit us into the Union as soon as they should think proper; but a treaty implies a compact, and what compact can arise from a stipulation to perform, or not perform, as the party shall deem expedient? this would be such a solecism in argument, such a confusion of terms as must make us doubt the propriety of any construction that leads to them, and we feel ourselves justified in a persuasion, that the treaty intended to incorporate us into

the Union so soon as the laws necessary for that purpose could be passed. We know not with what view the territory North of the 33d degree, has been severed from us and carried with it the distinguishing name which belonged to us, and to which we are attached; the convenience of the inhabitants we humbly apprehend would have been better consulted by preserving the connection of the whole province, until a greater degree of population, made a division necessary. If this division should operate so as to prolong our state of political tutelage; on account of any supposed deficiency of numbers, we cannot but consider it as injurious to our rights, and therefore enumerate it among those points of which we have reason to complain. If there is force in our reclamations, on the great question of fundamental rights—if we are entitled to legislate for ourselves as a member of the Union, and to establish the forms on which that legislation shall be conducted, by framing a constitution suited to our own exigencies; then no further observations need be made on other parts of the law—for the right of local legislation implies that of making the alterations, we might deem expedient; the executive power would be properly circumscribed, and the legislative guarded against encroachment. There is one subject however extremely interesting to us, in which great care has been taken to prevent any interference even of the governor and council, selected by the President himself. The African trade is absolutely prohibited and penalties imposed on a traffic free to all the Atlantic states who chuse to engage in it, and as far as relates to procuring the subjects of it from other states, permitted even in the territory of the Mississippi.

It is not our intention to enter into arguments that have become familiar to every reasoner on this question, we only ask the right of deciding it for ourselves, and of being placed in this respect on an equal footing with other states. To the necessity of employing African labourers, which arises from climate, and the species of cultivation, pursued in warm latitudes, is added a reason in this country, peculiar to itself. The banks raised to restrain the waters of the Mississippi, can only be kept in repair by those whose natural constitution and habits of labour enable them to resist the combined effects of a deleterious moisture, and a degree of heat intolerable to whites; this labour is great, it requires many hands, is all-important to the very existence of our country. If therefore this traffic is justifiable any where, it is surely in this province, where unless it is permitted, cultivation must cease, the improvements of a country be destroyed, and the great river resume its empire over our ruinous fields and demolished habitations.

Another subject not indeed growing out of this law, but of great moment to us, is the sudden change of language in all the public offices and administration of justice—the great mass of the inhabitants speak nothing but the French, the late government was always careful in the selection of their officers, to find men who possessed our language, and with whom we could personally communicate—their judicial proceedings were indeed in the Spanish language; but being carried on altogether by writing translations were easily made—at present for the slightest communication, an interpreter must be procured; in more important concerns our interest suffers from not being fully explained; a phrase, a circumstance seemingly of little moment, and which a person uninterested in the affair will not take the trouble to translate, is frequently decisive, and produces the most important effects. That free communication so necessary to give the Magistrate a knowledge of the people, and inspire them with confidence in his administration, is by this means totally cut off; and the introduction of viva voce pleading in the courts of justice, subjects the party, who can neither understand his Council, his Judge, or the advocate of his opponent, to an embarrassment the most perplexing, and often, to injuries the most serious.

We have thus stated the great sources of discontent, which have arisen from the measures your honorable body has pleased to pursue; did we suppose them the effect of a settled design to oppress, of a determination to disregard our natural and stipulated rights, we are persuaded we should do as much injustice to your views, as the strongest expressions would do to our feelings of indignation and grief—but we will not insult you by a suspicion so injurious to your motives: the want of true information with respect to us, opinions founded on a superficial acquaintance with our country, and prejudiced relations of our habits and manners, on reports the most unfounded, even as to our language, these alone have given rise to the measures of which we complain, and when these impressions shall have been effaced, we have the fullest confidence that their effects will cease, and the language of remonstrance will be changed to that of congratulations and thanks.

Deeply impressed, therefore, with a persuasion that our rights need only be stated, to be recognised and allowed; that the highest glory of a free Nation is a communication of the blessings: and that its best reputation is derived from a sacred regard to treaties. We pray you, representatives of the people, to consult your own fame and our happiness, by a prompt attention to our prayer we invoke the PRINCIPLES OF YOUR REVOLUTION, the SACRED SELF-EVIDENT, and ETERNAL TRUTHS on which your governments are founded, we invoke the SOLEMN STIPULATIONS OF TREATY, we invoke your own PROFESSIONS, OF YOUR FATHERS, and we adjure you not to disavow the one nor dishonor the other, by persevering in a plan so contradictory to every thing you have said, and they have taught so fatal to our happiness, and the reputation of your country, to a generous and free people. We ought not to urge any motive of interest when those of honor and duty are so apparent; but be assured that the true interest of the United States consists in cultivating a spirit of conciliation with the inhabitants of the territory they have acquired. Annexed to your country by the course of political events, it depends upon you to determine whether we shall pay the cold homage of reluctant subjects, or render the free allegiance of citizens, attached to your fortunes by choice, bound to you, by gratitude for the best blessings, contributing cheerfully to your advancement, to those high destinies, to which HONOR, LIBERTY, JUSTICE will conduct you, and defending; as we solemnly pledge ourselves to do, at the risque of fortune and life, our COMMON CONSTITUTION, COUNTRY, AND LAWS.

WE, THEREFORE, respectfully pray, that so much of the law above mentioned, as provides for the temporary government of this country, as divides it into two territories, prohibits the importation of slaves, be repealed.

And that prompt and efficacious measures may be taken to incorporate the inhabitants of Louisiana, into the Union of the United States, and admit them to all the rights, privileges and immunities of citizens thereof.

And your Petitioners, &c.

Music and Dancing Academy.

FRANCIS MAURICE,
Professor of the French Language, Music and Dancing.

RESPECTFULLY informs the Ladies and Gentlemen of the city of Raleigh and Vicinity, that he has opened a School in Raleigh to teach the above agreeable and elegant Accomplishments. Mr. Maurice flatters himself that the moderate terms on which he engages Pupils, and the strict attention he pays to their Behaviour as well as Instruction, will increase the number of them, which is already very respectable, for the Piano Forte, Violin, & Dancing.

A few Pupils will be taken to learn French. Aug. 4.