

Remonstrance of the People of Louisiana.

burden, but they know and feel that man may commit error with more facility than he can eradicate its consequences. Your memorialists entreat you to reflect on, to consider with impartial attention, the dangers and difficulties before you; and beseech you, with deep concern, to preserve the country, whose regulations depend on your wisdom, from similar calamities.

They also respectfully suggest to you, that while the Constitution of the United States declares all men equally entitled to liberty, they cannot conceive our Government as acting consistently with its declarations, if it shall, in any instance, authorize man to enslave unoffending man. In compliance with that distinguished principle of our national Constitution, a former Congress judged it expedient to introduce among its regulations, for the government of the North-western Territory, a provision resembling that which your memorialists now suggest to you.

There is another consideration to which your memorialists feel themselves bound to call your attention. While the Governments of Europe are shaken by civil discord, or surrounded by the incalculable cruelties and horrors of national warfare, a beneficent and overruling Providence has been pleased to preserve for our country the blessings of peace, to grant us new proofs of his goodness, and to place us in a condition of prosperity, unrivalled in the records of history. Does it not become the duty of a nation, so crowned with the blessings of peace, and plenty, and happiness, to manifest its gratitude, to the whole world, by acts of justice and virtue? For the true honor of our country, from benevolence toward the future possessors of our newly acquired soil, your memorialists hope you will hear and grant their request. And with all the respect which is due to the representatives of a free people, they subscribe themselves, cordially, your friends and fellow-citizens.

Signed by order and on behalf of the Convention.

M. FRANKLIN, *Pres't*
OTHNIEL ALSOP, *Sec.*

PHILADELPHIA, Jan. 13, 1804.

REMONSTRANCE OF THE PEOPLE OF LOUISIANA.

[Communicated to the Senate, Dec. 31, 1804.]

We, the subscribers, planters, merchants, and other inhabitants of Louisiana, respectfully approach the Legislature of the United States with a memorial of our rights, a remonstrance against certain laws which contravene them, and a petition for that redress to which the laws of nature, sanctioned by positive stipulation, have entitled us.

Without any agency in the events which have annexed our country to the United States we yet considered them as fortunate, and thought our liberties secured even before we knew the terms of the cession. Persuaded that a free people would acquire territory only to extend the bles-

sings of freedom, that an enlightened nation would never destroy those principles on which its Government was founded, and that their Representatives would disdain to become the instruments of oppression, we calculated with certainty that their first act of sovereignty would be a communication of all the blessings they enjoyed, and were the less anxious to know on what particular terms we were received. It was early understood that we were to be American Citizens; this satisfied our wishes; it implied every thing we could desire, and filled us with that happiness which arises from the anticipated enjoyment of a right long withheld. We knew that it was impossible to be citizens of the United States without enjoying a personal freedom, protection for property, and, above all, the privileges of a free representative Government, and did not, therefore imagine that we could be deprived of these rights even if there should have existed no promise to impart them; yet it was with some satisfaction we found these objects secured to us by the stipulations of treaty, and the faith of Congress pledged for their uninterrupted enjoyment. We expected them from your magnanimity, but were not displeased to see them guaranteed by solemn engagements.

With a firm persuasion that these engagements would be soon fulfilled, we passed under your jurisdiction with a joy bordering on enthusiasm, submitted to the inconveniences of an intermediate dominion without a murmur, and saw the last tie that attached us to our mother country severed with less regret. Even the evils of a military and absolute authority were acquiesced in, because it indicated an eagerness to complete the transfer, and place beyond the reach of accident the union we mutually desired. A single magistrate, vested with civil and military, with executive and judiciary powers, upon whose laws we had no check, over whose acts we had no control, and from whose decrees there is no appeal: the sudden suspension of all those forms to which we had been accustomed; the total want of any permanent system to replace them; the introduction of a new language into the administration of justice; the perplexing necessity of using an interpreter for every communication with the officers placed over us; the involuntary errors, of necessity committed by judges uncertain by what code they are to decide, wavering between the civil and the common law, between the forms of the French, Spanish, and American jurisprudence, and with the best intentions unable to expound laws of which they are ignorant, or to acquire them in a language they do not understand; these were not slight inconveniences, nor was this state of things calculated to give favorable impressions or realize the hopes we entertained; but we submitted with resignation, because we thought it the effect of necessity; we submitted with patience, though its duration was longer than we had been taught to expect; we submitted even with cheerfulness, while we supposed your honorable body was employed in reducing this chaos to order, and calling a system of harmony from the depth of this confused, discordant mass. But we cannot conceal,

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we ought not to dissemble, that the first project presented for the government of this country tended to lessen the enthusiasm which, until that period, had been universal, and to fix our attention on present evils, while it rendered us less sanguine as to the future. Still, however, we wished to persuade ourselves that further inquiry would produce better information; that discussion would establish our rights, and time destroy every prejudice that might oppose them. We could not bring ourselves to believe that we had so far mistaken the stipulations in our favor, or that Congress could so little regard us, and we waited the result with anxiety, which distance only prevented our expressing before the passing of the bill. After a suspense which continued to the last moment of the session, after debates which only tended to show how little our true situation was known, after the rejection of every amendment declaratory of our rights, it at length became a law, and, before this petition can be presented, will take effect in our country.

Disavowing any language but that of respectful remonstrance, disdaining any other but that which befits a manly assertion of our rights, we pray leave to examine the law for erecting Louisiana into two Territories and providing for the temporary government thereof, to compare its provisions with our rights, and its whole scope with the letter and spirit of the treaty which binds us to the United States.

The first section erects the country south of the thirty-third degree into a Territory of the United States, by the name of the Territory of Orleans.

The second gives us a Governor appointed for three years by the President of the United States.

The fourth vests in him and in a council, also chosen by the President, all Legislative power, subject to the revision of Congress, especially guarding against any interference with public property either by taxation or sale.

And the fifth establishes a Judiciary, to consist of a Supreme Court, having exclusive criminal and original jurisdiction without appeal for all causes above the value of one hundred dollars, and such inferior courts as the Legislature of the Territory may establish. The judges of the superior court are appointed by the President, to continue in office four years.

This is the summary of our constitution; this is so far the accomplishment of a treaty engagement to "incorporate us into the Union, and admit us to all the rights, advantages, and immunities of American citizens." And this is the promise performed, which was made by our first magistrate in your name, "that you would receive us as brothers, and hasten to extend to us a participation in those invaluable rights which had formed the basis of your unexampled prosperity."

Ignorant as we have been represented of our natural rights, shall we be called on to show that this Government is inconsistent with every principle of civil liberty?

Uninformed as we are supposed to be of our acquired rights, is it necessary for us to demonstrate that this act does not "incorporate us in the Union,"

that it vests us with none of the "rights," gives us no advantages, and deprives us of all the "immunities" of American citizens.

If this should be required, we think neither task will be difficult.

On the first point we need only appeal to your declaration of independence; to your constitution; to your different State governments; to the writings of your revolutionary patriots and statesmen; to your own professions and public acts; and finally, legislators, to your own hearts, on which the love of civil liberty and its principles are, we trust, too deeply engraved to be ever totally effaced.

A Governor is to be placed over us whom we have not chosen, whom we do not even know, who may be ignorant of our language, uninformed of our institutions, and who may have no connexions with our country, or interest in its welfare.

This Governor is vested with all executive, and almost unlimited legislative power; for the law declares that, by and with the advice and consent of the legislative body, he may change, modify, and repeal the laws, &c. But this advice and consent will no doubt in all cases be easily procured from the majority of a council selected by the President or Governor, and dependent on him for their appointment and continuance in office; or if they should prove refractory, the power of prorogation frees him from any troublesome interference, until a more prudent selection at the end of the year shall give him a council better suited to his views. The true legislative power, then, is vested in the Governor alone, the council operates as a cloak to conceal the extent of his authority, to screen him from the odium of all unpopular acts, to avoid all responsibility, and give us the faint semblance of a representative assembly, with so few of its distinguishing features, that unless the name were inscribed on the picture it would be difficult to discover the object for which it was intended.

Taxation without representation, an obligation to obey laws without any voice in their formation, the undue influence of the executive upon legislative proceedings, and a dependent judiciary, formed, we believe, very prominent articles in the list of grievances complained of by the United States, at the commencement of their glorious contest for freedom; the opposition to them, even by force, was deemed meritorious and patriotic, and the rights on which that opposition was founded were termed fundamental, indefeasible, self-evident, and eternal; they formed, as your country then unanimously asserted, the only rational basis on which Government could rest; they were so plain, it was added, as to be understood by the weakest understanding; not capable of alienation, they might always be reclaimed; unsusceptible of change, they were the same at all times, in all climates, and under all circumstances; and the fairest inheritance for our posterity, they should never, it was firmly asserted, be abandoned but with life.

These were the sentiments of your predecessors; were they wrong? Were the patriots who composed your councils mistaken in their political

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principles? Did the heroes who died in their defence seal a false creed with their blood? No, they were not wrong! The admiration of the world, the respect still paid to the living, the veneration accorded to the memory of the dead, attest the purity of their principles, and prove the truth of those maxims, which rendered their lives a blessing to their country, and their deaths glorious in its defence.

Are truths, then, so well founded, so universally acknowledged, inapplicable only to us? Do political axioms on the Atlantic become problems when transferred to the shores of the Mississippi? or are the unfortunate inhabitants of these regions the only people who are excluded from those equal rights acknowledged in your declaration of independence, repeated in the different State constitutions, and ratified by that of which we claim to be a member? Where, we ask respectfully, where is the circumstance that is to exclude us from a participation in these rights? Is it because we have not heretofore enjoyed them? This, on the contrary, would seem a reason to hasten the communication, to indemnify us by a futurity of freedom, for the years we have been deprived of it, and enable us, experimentally, to compare the blessings of a free Government with the evils of another kind of dominion. But the present situation of affairs forms no pleasing contrast with that which is past; and if we did not count with confidence on a change in the system you have adopted, the prospect before us would not afford matter for consolatory anticipation; for, though a period is fixed for the absolute government placed over us, though a year may terminate the equally objectionable system which succeeds it, yet what is to follow? Liberty? Self-government? Independence? and a participation in the advantages of the Union? If these were offered to us as the reward of a certain term of patience and submission, though we could not acquiesce in the justice of the procedure, we should have some consolation in our misfortunes; but no manifestation of what awaits us at the expiration of the law is yet made.

We may then again become the victims of false information, of hasty remark, or prejudiced opinion; we may then again be told that we are incapable of managing our own concerns, that the period of emancipation is not yet arrived, and that when, in the school of slavery, we have learned how to be free, our rights shall be restored. Upon the topic to which this leads we are reluctant to speak; but misrepresented and insulted, it cannot be deemed improper to show how groundless are the calumnies which represent us as in a state of degradation, unfit to receive the boon of freedom. How far any supposed incapacity to direct the affairs of our own country would release the United States from their obligation to confer upon us the rights of citizenship, or upon what principle they are to become the judges of that capacity, might, we believe, fairly be questioned; for we have surely not become less fit for the task since the signature of the treaty than we were before that period; and that no such incapacity was

then supposed to exist, is evident from the terms of that instrument, which declares that we are to be admitted as soon as possible, according to the principles of the Constitution. If the United States, then, may postpone the performance of this engagement until, in their opinion, it may be proper to perform it, of what validity is the compact, or can that be called one of which the performance depends only on the will of the contracting party?

But if capacity is to be the criterion, and information the preliminary requisite of our admission, let us respectfully inquire 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 exclusive superintendence 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 legislator to splendid acquirement, when they cannot be united; and although we give the representatives of the United States all the superiority they claim and justly 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 shown what share this council will probably have in legislation, and the residence of one year is certainly too short to attain information, or secure anything 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 task must devolve? The President must necessarily depend on the information of his agents here, without any personal knowledge of the men he must choose. 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 show that among a people not absolutely sunk in ignorance, the kind of knowledge indispensable to good gov-

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ernment, 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, effeminized by luxury, debased by oppression, we were, it was said, incapable of appreciating a free constitution, if it were given, or feeling the deprivation, 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 to 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 effeminacy 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 us 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 generally are 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, owing to the difficulty of procuring it, but the original settlement of the province was marked by circumstances 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 compose it. Their descendants now respectfully call for the evidence which proves that they have so far degenerated as to 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 interest, 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 weakened 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 a 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 fatality, we are cut off from 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 charter 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., as 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 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 it directs may be a province of the United 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 component part of the United States the Constitution has guaranteed a republican form of Government, and this, as we have already shown, 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 favor.

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For 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 United States. But this Government, as we have shown, 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, of what "immunity" can we boast, except, indeed, the degrading exemption from the cares of legislation, and the burden 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 the enjoyment of the rights," &c., certainly mean to such rights as are secured by the principles of the Constitution, or that we are to be 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 a hundred, or totally omitted. That our verbal construction is the true one will be evident from pursuing the other exposition to its consequences. If the 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 power 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 Constitution, 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 thirty-third 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 connexion 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; then our judiciary would become independent, 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 by the Governor and Council, selected by the President himself. The African trade is absolutely prohibited, and severe penalties imposed on a traffic free to all the Atlantic States who choose 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 laborers, 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 labor enable them to resist the combined effects of a deleterious moisture, and a degree of heat intolerable to whites; this labor is great, it requires many hands, and it is all important to the very existence of our country. If, therefore, this traffic is justifiable anywhere, it is surely in this province, where, unless it is permitted, cultivation must cease, the improvements of a century be destroyed, and the great river resume its empire over our ruined 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 their selection of officers to find men who possessed our own language, and with whom we could personally communicate; their correspondence with the in-

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terior parts of the province was also carried on chiefly in our own language; their judicial proceedings were indeed in Spanish; 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 to inspire them with confidence in his administration, is by this means totally cut off, and the introduction of *viva voce* pleadings into the courts of justice subjects the party who can neither understand his counsel, his judge, nor the advocate of his opponent, to embarrassments 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 been 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 with 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 congratulation 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 of freedom; 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 our own professions and the glorious example of your fathers, and we adjure you to listen to the one and to follow the other, by abandoning 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 it is the interest of the United States to cultivate 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 of blessings, contributing cheerfully to your advancement to those high destinies to which honor, liberty, and justice, will conduct you, and defending, as we solemnly pledge ourselves to do, at the risk 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, and 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 the citizens thereof.

And your petitioners, as in duty bound, will ever pray for the happiness and prosperity of the United States.

Conformable to the original deposited in the House of Representatives.

P. SAUVE,
L. DERBIGNY,
DESTREHAN.

The following remonstrance was communicated to the House of Representatives, January 4, 1805:

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 show:

That your petitioners, as well as those whom they represent, were filled with the most lively pleasure at the first rumor of the cession of Louisiana to the United States. When it no longer became us to doubt of the event, and when we were informed that Congress were making laws to organize the newly-acquired territory, we experienced emotions of gratitude, and anticipated for ourselves and our posterity all the blessings which result to the people of the United States from the wisdom and magnanimity of an enlightened and free Government.

While we were indulging these fond expectations, unmixed with distrust or fear, the act of the last session of your honorable Houses, entitled "An act erecting Louisiana into two Territories, and providing for the temporary government thereof," came to our knowledge, and from our eager grasp snatched the anticipated good. The dictates of a foreign Government! an incalculable accession of savage hordes to be vomited on our borders! an entire privation of some of the dearest rights enjoyed by freemen! These are the leading features of that political system which you have devised for us; for those very men, who, in a solemn treaty, you had stipulated

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to call and to treat as fellow-citizens; yet the American colors are hoisted in our garrisons; this far-famed signal of liberty to all, to us alone exhibits a gloomy appearance, and makes us more sensible of the immeasurable interval between us and political happiness. May we not be long doomed, like the prisoners of Venice, to read the word "liberty" on the walls of prisons! We trust to your wisdom and goodness; you are the guardians of our Constitutional rights, and we repose our hopes in you as in the sanctuary of honor.

The right of the people peaceably to assemble and petition the Government for a redress of grievances, is declared and warranted by the first amendment to the Constitution. To this Constitution we appeal; we learned from you to resist, by lawful means, every attempt to encroach on our rights and liberties; the day we became Americans we were told that we were associated to a free people. We cannot suppose that the language of men jealous of their freedom can possibly be unwelcome to your ears.

By the third article of the treaty between the United States and the French Republic, it is agreed "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 maintained and protected in the free enjoyment of their liberty, property, and the religion they profess."

Your petitioners beg leave to represent to your honorable Houses, that, according to the principles contained in the third article of the treaty above quoted, they conceive that had not Congress thought proper to divide Louisiana into two Territories, they should now be entitled by their population to be incorporated into the Union as an independent State.

In the ordinance for the government of the Territory of the United States northwest of the river Ohio, article the fifth, it is ordained, "that whenever any of the States to be formed out of the Northwestern Territory shall have sixty thousand free inhabitants therein, such State shall be admitted by its delegates into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: *Provided*, That the constitution and government so to be formed shall be republican, and in conformity with the principles contained in these articles; and so far as it can be considered consistent with the general interest of the Confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand." Your petitioners are informed, moreover, that at the time of the admission of the State of Ohio into the Union, said State, conformable to the last clause of the fifth article of the

ordinance above quoted, did not contain more than from thirty-three to forty thousand free inhabitants; which proportion, if adhered to in our case, as it seems to us it should have been, the United States having bound themselves by the third article of the treaty above quoted to admit us as soon as possible into the Union, would have given us a right to be immediately incorporated into the Union.

We find neither in the Constitution of the United States, nor in the treaty with the French Republic, any provisions by which Congress may have been authorized to make such division.

We find in the treaty nothing but the plain and unequivocal obligation in Congress, to incorporate the ceded territory into the Union, and admit it 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; but if Congress had a right to divide Louisiana into two Territories last year, they may claim next year the right to divide it into four or eight Territories. Whenever the population of one of those Territories shall amount to very near the population required by the Constitution of the United States, to entitle that Territory to be admitted in the Union as an independent State, Congress may again claim the right to subdivide said Territory. Your petitioners, if the principle should be granted, see no end to the oppression likely to result from such a precedent; and ill-fated Louisiana is condemned to drag along for ages the fetters of an endless territorial infancy, never (to use the expression of one of the most strenuous advocates of American independence,) to be hardened into the bone of manhood.

Under ordinary circumstances, your petitioners would have been disposed to sacrifice some of those rights secured to them by a solemn treaty, to the convenience of the United States; but the provisory laws enacted by Congress for the district of Louisiana seem to us to be characterized by such an unusual spirit of severity as to oblige your petitioners (if those laws should be enforced) to pray for the unconditional fulfilment of those express engagements contained in the treaty of cession, and for those other benefits to which they are entitled as freemen of the United States. But had not your petitioners the unconditional provisions of a treaty to rest their rights upon, still they might have expected a Government founded on more liberal principles from the Representatives of a free people, who, on a great occasion, had previously declared to the world these truths to be self-evident: "That all men are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of Government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new Government, laying its foundations on such principles, and organizing its powers in such form, as

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to them shall seem most likely to effect their safety and happiness."

Little as we are acquainted with the United States, we know by heart your declaration of independence; we recollect the noble deeds of the heroes who bled in your glorious Revolution; we are no strangers to the Constitution of the United States, and the bills of right, and constitutions of the several States in the Union; and it was upon those highly respectable and absolutely binding authorities, that we had anticipated the blessings of freedom.

In order to enforce their pretensions, your petitioners are sensible that it becomes incumbent on them to submit to your honorable Houses a comparative view of the constitutions enacted by Congress, at different times, for the different Territories, which were erected previously to the erection of the district of Louisiana; from that statement, extracted from your own records, your honorable Houses cannot help being convinced that the act respecting the district of Louisiana alone, instead of the open, disinterested countenance of a fond adoptive mother exhibited to our sister territories, bears the stern, distrustful look of a severe, imperious master; and if your honorable Houses will be so good as to follow your petitioners through this interesting review, you will be fully satisfied that the humble remonstrances of your petitioners rest on the rock of American liberty and independence.

Although your petitioners lament that the principle should now appear consecrated by practice, that governors and judges should, contrary to every principle of liberty, and to the principles of the Constitution of the United States, which took care to separate them, unite in their hands the three powers, Legislative, Executive, and Judicial, yet your petitioners would have submitted in silence to whatever had been adopted by Congress, and submitted to by the people. But arbitrary measures without a precedent call loudly for the most energetic remonstrances to your honorable Houses.

By the twelfth section of the act erecting Louisiana into two Territories, and providing for the temporary government thereof, "the Executive power, now vested in the Governor of the Indiana Territory, is to extend to and be exercised in Louisiana." Your petitioners beg leave to state that they have read, with the utmost attention, the laws enacted at different times, for the provisory government of the several Territories of the Union; and that far from observing in those laws anything like trusting the Governor of a neighboring State or Territory with the government of a newly-erected Territory, they find, on the contrary, that Congress paid the most scrupulous respect to the interest and feelings of the inhabitants by the wisest precautions, in not only obliging the Governor to reside in the Territory which he governs, but also in obliging him to hold a freehold estate in the same Territory. In the ordinance for the government of the Territory of the United States Northwest of the river Ohio, we find this provision: "Be it ordained by the au-

thority aforesaid, that there shall be appointed from time to time by Congress a Governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in one thousand acres of land, while in the exercise of his office."

In the act authorizing the establishment of a government in the Mississippi Territory we find, "and the President of the United States is hereby authorized to establish therein a government in all respects similar to that now exercised in the Territory Northwest of the river Ohio." And in the act to divide the Territory of the United States Northwest of the river Ohio, we find: "Sec. 2. *And be it further enacted*, That there shall be established within the said Territory a government in all respects similar to that provided by the ordinance of Congress, passed on the 13th day of July, 1787, for the government of the Territory of the United States Northwest of the river Ohio."

In the act erecting Louisiana into two Territories, the executive power in the district of Orleans is vested in a Governor, who shall reside in the territory, &c.

Here, then, are the laws of the three Territories, erected previously to the erection of the district of Louisiana, and the laws of the district of Orleans, erected by the very same act. Those laws make it necessary for the Governor, who is liable to be called upon for the discharge of his official duties by every citizen of the Territory to reside in said Territory. The law with respect to three of those Territories does not stop there. Congress were fully sensible that the inhabitants of those Territories would place more confidence in men who, like the inhabitants themselves, should have a direct interest in the welfare of the country, by their own possessions in it; and to the indispensable condition of residence in the Territory, they made it necessary for the Governor, while in the exercise of his office, to have a freehold estate therein in one thousand acres of land.

The extension of the Executive power to the Governor of the Mississippi Territory over the district of Orleans can hardly be adduced as a precedent; for, ever since the extension of his jurisdiction, the Governor of the Mississippi Territory has habitually resided in the district of Orleans, of which he was Governor in fact; whilst the administration of the government of Mississippi Territory was left in the hands of a Secretary. But admitting, for argument's sake, that it might be construed into a precedent, your petitioners beg leave to observe to your honorable Houses that the circumstances of the two Territories cannot be compared. There are hardly two hundred and forty miles from Natchez to Orleans. An easy and speedy communication can be had at all times between the two places, both by land and by water. The laws of both Territories may be very similar in many important respects, by which the property of the inhabitants may be affected. Slavery prevails in both Territories.

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On the contrary, the point of Louisiana nearest to the place where the Governor of the Indiana Territory makes his habitual residence is not less than one hundred and sixty-five miles distant, and there is not a house to be met with on the road; impassable at many seasons of the year, owing to the number of creeks and rivers which sometimes overflow their banks, sometimes are entirely covered with ice; so that we may conclude that, did not justice and sound policy prohibit the alliance in contemplation, nature itself loudly proclaims its impracticability. Your honorable Houses may judge at what an immense distance some parts of Louisiana must be from the Governor, to whom an appeal lies in many cases affecting the property and even the life of individuals.

What would it be, if, arriving at Vincennes in those circumstances, an inhabitant of Louisiana was told of His Excellency's being at Detroit, six hundred miles further? Besides, the laws of both Territories must be very dissimilar in a number of respects. Slavery cannot exist in the Indiana Territory, and slavery prevails in Louisiana; and here your petitioners must beg leave to observe to your honorable Houses that they conceive their property of every description has been warranted to them by the treaty between the United States and the French Republic. Your petitioners are informed that a law respecting slavery has been passed by Congress for the district of Orleans, similar in many respects to the one formerly made for the Mississippi Territory. Is not the silence of Congress with respect to slavery in this district of Louisiana, and the placing of this district under the Governor of a Territory where slavery is proscribed, calculated to alarm the people with respect to that kind of property, and to create the presumption of a disposition in Congress to abolish at a future day slavery altogether in the district of Louisiana?

The same wise precaution which induced Congress to make the residence of the Governor and the holding of property in the Territory where he exercises his office necessary, extends likewise, in the three Territories erected previously to the erection of the district of Louisiana, to the secretary and judges of the said Territories. In the same third section of the ordinance for the government of the Territory of the United States Northwest of the river Ohio, we find, "there shall be appointed, from time to time, by Congress, a Secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein in five hundred acres of land, while in the exercise of his office," &c.

And again, in the same third section, "there shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land, while in the exercise of their office."

These provisions extend likewise to the Mississippi Territory, as may be seen by a reference

to an act authorizing the establishment of a government in the Mississippi Territory; and to the Indiana Territory, as may be seen by a reference to an act of Congress to divide the territory of the United States Northwest of the Ohio into two separate governments.

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. To say more on the subject might appear to doubt your disposition to do justice to the request of your petitioners, and to your justice alone they are determined to appeal.

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. Were those measures only severe, we should oppose to them only the articles of compact between the original States and the people of the Northwestern Territory. Article second of said compact expressly declares: "That in the just preservation of rights and property it is understood and declared, that no law ought ever to be made, or have force in the said Territory, that shall in any manner whatever interfere with or affect private contracts or engagements, *bona fide* and without fraud, previously formed.

In the fourth article of the same it is provided: "That non-resident proprietors shall in no case be taxed higher than residents."

Here Congress not only acknowledge that they have no right to make a law interfering with or affecting private contracts or engagements, *bona fide* and without fraud, previously formed, but so tender are they of the right of property, that they even go so far as to provide that non-resident proprietors shall in no case be taxed higher than residents.

How different is the condition of the Louisianians! Congress, in the fourteenth 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." Act or proceedings cannot certainly mean anything else than the incipient titles of which we are speaking.

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 incipient grant for making a settlement thereon. There may be, and there are, American emigrants, who, some time previously to the 20th day of December, 1803, may have bought

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from the original proprietor, or rather holder, of that incipient title, his right to said lands. There may be, and there are, some who have obtained those incipient titles in their own name, and who, ignorant as they must have been of a law not enacted at the time, and taking it for granted that Congress would allow the same space of time which was allowed by the Spanish Government for making a settlement upon lands obtained from the Spanish Government, may have returned to the Eastern part of the United States in order to prepare everything necessary for their removal, and with an intention of coming back to Louisiana in the following spring to settle upon those lands which they had bought *bona fide* and without fraud. But perhaps Congress, who, in the beginning of the fourteenth section, had declared null and void every act and proceeding subsequent to the Treaty of St. Ildefonso, made the 1st day of October, 1800, of whatsoever nature, towards the obtaining any grant, title, or claim to such lands, and under whatever authority transacted or pretended, be, and have been, from the beginning, null, void, and of no effect in law or equity, may insist that since the sovereignty of the lands in Louisiana was vested in the United States, the 1st day of October, 1800, and since, more than three years elapsed from the 1st day of October, 1800, to the 20th day of December, 1803, they have unquestionably a right to expel from the lands they claim any man who, according to the conditions of the Spanish Government, has made no improvement on the lands he might have obtained on the 20th day of December, 1793; and as to 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; but if your honorable Houses give leave to your petitioners to remind you that, by the first article of the Treaty of St. Ildefonso, "His Catholic Majesty promises and engages, on his part, to cede to the French Republic, six months after the full and entire execution of the conditions and stipulations herein relative to His Royal Highness the Duke of Parma, the colony or province of Louisiana, with the same extent that it has now in the hands of Spain, and that it had when France possessed it," it will be manifest to your honorable Houses that the King of Spain did not renounce his sovereignty over Louisiana on the 1st day of October, 1800.

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, (authorized, 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. But 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 1st day of October, 1800? If your honorable Houses will be pleased to call upon 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 means 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 it not 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 prudence and placed confidence in the United States.

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: Yet your honorable Houses,

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by a law approved by the President, on the 26th day of March, 1804, deprive of his property, and if he does persist in his claim after the first day of October next, condemn to a fine not exceeding one thousand dollars, and to suffer an imprisonment not exceeding one year, any man who shall have attempted a settlement on lands to which he may not have obtained as yet a complete title, if he has made or attempted a settlement any time posterior to the 20th day of December, 1803, that is, more than three months before the law which condemns him was enacted; and if your honorable Houses reflect that the act erecting Louisiana into two Territories, is only to take place on the first day of October, 1804, it will result that a man may be guilty of doing an act indifferent in itself, in virtue of a law which is to take place more than nine months subsequently according to the law itself, before the provision of that law can be enforced, and that, too, 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 authorizes 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 fifteenth section of the law, respecting the district of Louisiana. But, by the treaty with the French Republic, the United States have engaged to maintain and protect us in the free enjoyment of our liberty and property. Great God! a colony of Indians to protect us in our liberties and properties! And we hear, at the same time, that troops have been ordered from some parts of this district of Louisiana; and, at this moment, the garrison of New Madrid is reduced (not from death or sickness, from which they have kept entirely free, but in virtue of orders received from the commanding officer at Fort Massac,) to fifteen men. In the meantime, depredations and assassinations by the Indians have already begun: it is not a week since your petitioners received the news, that, within forty miles of this place, the Indians had wantonly assassinated three men. A week before, we heard of another set, on the river St. Francis, who committed against one of our scattered settlers every sort of depredation; killing his cattle of every description, destroying all his property of every kind, stripping him and his family entirely naked, and, after glutting themselves with what provisions they found in the house, throwing all the rest into the fire. What a time have your honorable Houses chosen for the exchange in contemplation! A plan, wearing the

most threatening aspect to our lives and properties—a plan not only alarming in its immediate effects, but pregnant with evils of a most dangerous nature in its remote consequences.

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. The Indians will be by the measures contemplated connected together, and our white settlers must, for a very considerable time to come, remain dispersed at an immense distance from each other; an easy and defenceless prey to the bloody rage of the merciless tomahawk. Is this protection? Is this justice? Is this equity? Would your honorable Houses acknowledge in all the Powers of Europe the right to collect in one body all their convicts, amounting in number (if such a number could be found) to twice, or perhaps three times your own population, and to vomit them on your shores? The narrow and limited view of your petitioners does not allow them to see any the least difference between the conduct of the Powers of Europe in that case, and your conduct with respect to us; except that in one case the Powers of Europe are not bound by any treaty to protect you, and the Government of the United States is bound to protect us. Your petitioners might add that convicts might possibly be reclaimed, but experience teaches us that the Indians, when conscious of their strength, the nearer they approach to civilization the more inclined they feel to resume at the first opportunity their naturally cruel and savage disposition.

Your petitioners do not doubt but that some grand political ends were expected to be answered by the provision in the fifteenth section of the bill erecting Louisiana into two Territories, but were those ends as advantageous as in the humble opinion of your petitioners they are disastrous—"Nothing," said Aristides to the Athenians, "could be more advantageous than the proposition of Themistocles, but nothing could be more unjust." Your honorable Houses are well acquainted with the determination of the Athenian people.

Your petitioners have thus gone through the painful, yet they conceive indispensable, task of remonstrating against grievances, in compliance with the duty they owed to their country, to themselves, and to posterity. Your petitioners are sensible that, in the discussion of interests of such magnitude, involving their dearest rights, they may, perhaps, appear to have deviated a little, either in some of the conclusions or expressions, from the respect they never intended to refuse to the highest authority of their country: but let your honorable Houses remember that your petitioners feel themselves injured, deeply injured. Could they tamely submit, could they even represent with more moderation in such a case, you

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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, 1st. 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 Northwest 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 the French languages.

5thly. That the records of each county, and the proceedings of the courts of justice in the district of Louisiana should be kept, and had in both the English and French languages, 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 Northwestern Territory every two years, or such another number as Congress may appoint, which said members shall, jointly with the Governor, form the Legislative Council of said district of Louisiana.

7thly. 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 right 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 and 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 unacquaint-

ed 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 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 inestimable to them, and formidable to tyrants only, being violated; a nation who presented it 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 her mother country for imposing taxes on them without their consent; a nation who styles the Indians "the merciless Indian savages, whose known rule 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 the district of Louisiana.

Elated 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 first 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 United 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.

[Signed by the Deputies of New Madrid, Cape Girardeau, Ste. Genevieve, St. Louis and its dependencies, St. Charles and its dependencies.]