treaty of St. Ildefonso, Spain receded to France the "colony or province of Louisiana, with the same extent that it actually has in the hands of Spain —— that it had when France possessed it—and such as it ought to be after the treaties passed subsequently between Spain and other states."

On the 30th of April 1804, France ceded to the United States all the territory which she had thus acquired from Spain.

These are the facts on which a decision is to be made whether the cession by France to the U. States does, or does not embrace that portion of country called West Florida?

In the *first place*, Spain stipulates to recede *Louisiana with the same extent that it actually has [in 1800] in the hands of Spain*. To determine the import of this stipulation is it only necessary to ascertain the extent of country embraced by the term *Louisiana*. It has been clearly shewn that previous to the cession of France to Spain, Louisiana extended to the Perdido. Had any thing occurred previously to the treaty of St. Idelfonso, to contract its limits? If nothing had occurred, the limits must be considered as unaltered. That portion of territory, ceded in 1763 to G. Britain, was receded to Spain in 1783 with the new name of West Florida, given by England. Restored to Spain, although this name was not formally dismissed, the territory which it covers, was re-annexed to the government of Louisiana, and the old arrangements, previous to its cession to England, re-instated. By these arrangements Louisiana, as to its extent, was replaced in the same situation it occupied previous to the cession of a part of it to G. Britain, which was the same with that it held when possessed by France under whose arrangements West Florida formed a part of it.

But as if solicitous to remove all ambiguity, the treaty proceeds to stipulate, in the *second place that Louisiana shall be ceded in the same extent it had when France possessed it* (that it previously in the year 1763). Now the fact is that France never possessed this province, with any extent which did not include the English province of West Florida—It may have occurred to the framers of the treaty of St. Idelfonso, that doubts might arise as to the meaning of the term "the province of Louisiana," after the cession of a part of it to Great-Britain, and its recession to Spain. Hence the propriety of dissipating all such doubts by declaring that the new cession should be in *the same extent it had when France possessed it*. This effectually set aside all regard to the regulations of England. Supposing, then, the *first* stipulation to be of doubtful import, the *second*, so plain as not to admit of any other construction, comes in to remove all doubt. For it is an established principle of construction, that where there are two passages tending to the same end, one of which is doubtful, and the other clear, the last shall preponderate. The denial of this construction to the stipulation will be tantamount to saying, that it shall have no meaning at all, which in so solemn and instrument as a treaty, and on so important an occasion as the transfer of territory, so altogether inadmissible.

In the *third place it is stipulated that the stipulation shall be such as it ought to be after the treaties passed subsequently between Spain and other states*—that is subsequently to the cession by France, which was in the year 1762. Now, subsequently to this was formed the treaty of 1795 between Spain and the United States, by which the former confirmed to the latter a degree of latitude (from 32 to 31 degrees) which she had alledged to be a part of Louisiana unceded to France, and consequently belonging to her.

According to these stipulations, taken together, Spain ceded Louisiana to France exactly as France possessed it previous to the year 1763, with the only exception of a reservation of the rights acknowledged by Spain to attach to the United States, and in this precise shape France, thus possessed of Louisiana has ceded it to the United States. If the facts we have stated, and the inferences deduced from them be correct, it follows that the Perdido is the boundary of Louisiana, and consequently that West Florida is a part of the cession to the United States.

The subject may admit of a much wider illustration; and several of the points, which we have but cursorily noticed would doubtless be enforced by many incidents and arguments that might be associated with them: but we wave these for the present, under the persuasion that the concise sketch now offered is sufficient to evince the just pretensions alledged to be entertained by our government. It is possible that some of the facts assumed may not be correct; tho' we have taken pains to avoid error, and have omitted to introduce all doubtful matter.

Bibles, Prayer Books, Testaments, Psalters, Hymn Books, Methodist ditto. and a variety of School Books, Writing and Letter Paper assorted, for sale at the Star office.

October 9, 1804.

Latest Foreign Intelligence.

New York, October 29.

By the ship Susan, capt. O'Conner, in 37 days from Dublin, we have received Dublin papers to the 21st September, containing London dates to 16th. From a cursory perusal of those papers, it appears, that

A courier arrived at Gettenburg from Petersburg on the 26th of August, with important dispatches from Sir John Borlase Warren, for Lord Harrowby. When he left it great preparations were making—for a *grand review* before the emperor of 60,000 choice troops.

LONDON, Sept. 16.

The most intelligent professional men differ so much in opinion respecting the probability of invasion, that it is only dispassionately combining the matter related by each, that any thing like judgment can be formed—Some of our first naval authorities on the coast so late as last Thursday, expressed their decided belief, that if Buonaparte was ever serious in his threats (which they conceived were merely intended to involve us in heavy expence and by exciting apprehensions for internal safety, prevent our detaching for foreign conquest) his late visit to Bologne had occasioned him to relinquish it, by demonstrating that from the length of time his flotilla would require to get out of port, the greater part of it would risk almost certain destruction from the elements, or from our fire, before a junction could be formed with them by the rest. We, on the other hand, yesterday received letters from three of our blockading squadrons, dated on Thursday, which state that the enemy's preparations appeared to correspond with the accounts, that they were complete; our correspondents adding they attributed the continuance of the flotillas in port to the want of water, in consequence of the neep tides. Little alteration had taken place at Flushing, or at Bologne, except by the arrival of one praam and 50 other vessels from Ostend, at which latter place there remained seven praams, ship rigged, each mounting from two to twenty four guns, 18 and 24 pounders; and 150 sail of brigs, cutters, and galliots, similarly armed. Admiral Vatheul had gone with the last, as with the preceding squadron, to Bologne, from whence he returned by land to Ostend.

In corroboration of this statement, it is positively alledged, that government yesterday received information which induced a belief, that the invasion would be attempted within a fortnight.

A letter from Jersey of September 12, says:

"A fleet of about 17 or 18 sail of the enemy were discovered yesterday in the east port of the island, supposed to have sailed from St. Malo. Several of the cruizers on this station weighed anchor, and obliged to run on shore near Porthail, about five leagues from this island; but we have not heard to-day whether they are still there or not"

A letter from Russia of the 20th ult. mentions that a new treaty of alliance between England and Russia was on the tapis, and that his imperial majesty had invited the court of Vienna and Berlin to become parties in it.

A Russian messenger arrived at Berlin on the 25th ult. with dispatches of importance, which was immediately answered by a letter in the king's own hand writing.

The firing off Boulogne was renewed on Friday—Several of the enemy's gun boats (some accounts say 100, others 20, or 30), were on Thursday outside the harbor.

Buonaparte is stated to have sent a messenger from Boulogne, with his answer to the emperor of Russia's ultimatum. In this project, his majesty has demanded *indemnity* to the *king of Sardinia*, the *evacuation* of the *Neapolitan territories*, and the *deliverance of Hanover*.

A secret expedition was said to be in contemplation on the subject had taken place at Walmer castle, between Mr. Pitt, Lord Melville, Sir Home Popham, and Sir Sidney Smith.

The proposed impregnable battery is the invention of Mr. John Gillespie, a native of Scotland. We understand that a meeting was held on Wednesday with this ingenious person, at Mr. Pitt's house at Putney, and that it is intended immediately to carry his project into execution. The first lord of the admiralty, Sir Sidney Smith, and several other persons, met the inventor at the chancellor of the exchequer's on the occasion; and certain craft in the river were pointed out on which the machinery is to be erected. We believe the scheme is brought forward under the particular recommendation of sir Sidney Smith.

The battery is so contrived as to be bomb proof; and will carry 32 pounders, or pieces of ordnance of any calibre; it moves on an axis to any point of the compass with the utmost facility; and it is provided with an optical tube, by which the engineer is greatly assisted in the direction of his fire. Such, we understand, are the advantages of this discovery, and we sincerely wish it may answer the representation given of it by those whose judgment we have no reason to question. While the philosopher will lament the new expedients for human destruction, which ingenuity may contrive, the politician will not neglect to avail himself of those means of defence, which are offered to supply the most effectual means of public security.

From the NATIONAL INTELLIGENCER.

TO THE PEOPLE OF THE UNITED STATES.

LOUISIANNA, No. II.

We have already noticed the view of recovering ALL *the children of France* which was the real, original and acknowledged object of the French government in their treaty of 1800, with the king of Spain. Similar dispositions have been manifested, as to parts of the ancient territories of France, which time and circumstances had dissevered from her, and joined to the Spanish kingdom. It is unnecessary to enlarge upon this subject. The history of the ancient and modern world will furnish various instances of separations from France, which she has avowedly endeavored to regain.

It has also been observed, that "*retrocession*" in relation to France, is to be fairly extended to her second acquisition of all of Louisiana, and *of the Louisianians*, which she once had, and which were not passed to other states. Retrocession is a term properly relative to France, who had ceded it to various powers, and who knew that Spain possessing nearly the whole *territory*, and all the French children, was able to retrocede the whole to her, except an unimportant part of the mere territory. Spain, as was well known to France, could give back to her all *the bartered children* of France—*all the Louisianians*.

We submit this as the origin, basis, extent, and end of the negociation and treaty for the Louisiana territory between France and Spain. As successors to the former in the title, we can safely appeal to the honor and candor of the two cabinets.

The provisions and language of the treaty 1800, between France and Spain, must be constructed collectively in such manner as to render the whole consistent, according to the rules of interpretation of all the great acts of regular and civilized governments. When, therefore, we find the idea clearly conveyed, that parts of *the Louisiana intended* cannot be returned, in virtue of the retrocession, because such parts have been irrevocably ceded by Spanish treaties with other *states*, we are bound to search with diligence and candor, for the pieces or parcels of territory intended. This measure leads us at once to the East of the Mississippi. We find it impossible to confine the application of the treaty to the country west of that river. Great Britain and the United States, or the United States exclusively of Great Britain, and the treaties of Spain with us, or with us and Great Britain, must and could alone have been contemplated in that part of the instrument between France and Spain. It is certain that we acquired no part of the Louisiana territory, west of the river Mississippi, "by treaties with Spain." No meaning is left to this final and important qualification of the retrocession, unless we consider Spain as engaging to place again in the hands of France, all that part of the original French province or colony of Louisiana, which lies east of the Mississippi, so far as she was mistress of the same in the year 1803. We may fairly add, that a final qualification of a treaty cannot be controlled by a qualification, which precedes it.

Here then is an interpretation of the treaty of retrocession, in *all the latitude* of the avowed cause, basis, and end of the negociation and contract. It is important to observe, that it is in *no greater* latitude. It is in truth, in the most *perfect conformity* with the cause, basis and end of the negociation and of the treaty itself—Neither falls below the other—Neither rises higher than the other—Neither clashes with the other. The treaty is thus made a fair and consistent act in reasonable pursuance of the declared objects of the negociation. But if we exclude from the operation of the treaty of 1800, the Louisianians and the territory south of 31st deg. and east of the Mississippi, we consent to the frustration of the declared object of the French government, and we render the final qualification of the retrocession, which expressly refers to Spanish treaties with other states, perfectly unmeaning and without any end or design.

We have made, in our first and second numbers, two points. We could safely rest their fairness and solidity upon the honor and candor of the two European cabinents. It cannot be that Spain will ultimately allow herself to be estranged from a friendly people and a just government, in a case so reasonable on our part.

COLUMBUS.

NATCHEZ, September 28.

Extract of a letter from a gentleman at Natchitoches, (L.) to the Editor, dated Sept. 19, 1804.

"A Hunter lately returned from the head of Sabine, who reports, that while he was out he fell in with a party of the Panis Indians, who informed him that they had seen the bodies of three Americans, who had been recently killed, in the Prairie, between the head of Sabine and their villages, on Red River. If it was so, very little doubt is entertained but they were the bodies of three young men that went out into that part of the country, about three months ago, by the names of Knox, Anderson and House, who it is said were in search of silver mines.

"The Osage Indians are charged with their murders; but it would seem extraordinary that while their chiefs are at Washington city, negociating a peace with the President, that those they left behind should be committing depredations on the citizens of the U. States, in our own territory; but there are those who from some circumstances, are more inclined to believe they were killed by a party of Spanish soldiers, sent out for that purpose; who say, Knox, Anderson and House, from Rapids, a Spaniard was there making strict enquiry about them, relative to the object of their voyage, their rout, &c. and was heard to say, that there either was, or would be, a party sent out from Nagadoches, in pursuit of them."

To the Editor of the Moniteur.

N. Orleans, Sept. 12, 1804.

Sir,

The following memorial was addressed by the Ursuline Nuns of this city to the President of the United States. As the memorial itself, together with the President's very friendly and encouraging answer may afford pleasure to the inhabitants of Louisiana, all of whom, doubtless, take a deep interest in the prosperity of this religious establishment, I request you to insert them in your next number both in French and English.

I am, Sir,
Your humble serv't.
PATRICK WALCH,
Vicar-General.

To THOMAS JEFFERSON, President of the U. States of America.

SIR,

Emboldened by the favorable mention you have been pleased to make of their Order, the Nuns of Ursula at N. Orleans take the liberty of addressing you on a subject highly interesting to their institution. They believe that without any direct application, the treaty of cession and the sense of justice which marks the character of the United States, would have secured to them the property they now possess; but considering it a sacred deposit, they would fail in a duty they deem essential, were they to omit requesting that it may be formally confirmed to them and their successors, and that you may be pleased to communicate this request to the Congress of the U. States in such a manner as you may deem proper.

Our request is dictated by no wish of personal gratification or private aggrandisement. Secluded from the world, its luxuries and vanities, wealth, and the enjoyments it brings, would to them have no attraction;—devoted to religious duties, temporal advantages are not the objects of their pursuits; but bound by a solemn obligation to employ their revenue in charitable uses, and their time in the education of youth they cannot but be anxious to know that the property which is to enable them to fulfil the duties will be secured to them.—It is not, therefore, their own cause, but that of the public which they plead. It is the cause of the orphan, of the helpless child, of want, of the many who may be snatched from the paths of vice and infamy under their guidance, and be trained up in the habits of virtue and religion to be happy and useful; of society which will be the burthen of indigent and the depredations of vice; of their country itself, which cannot but acquire honor in fostering and protecting such beneficent purposes.

These considerations they know, sir, will have weight with you. They anticipate your support, because they deserve it: and they conclude with their ardent wishes for your personal happiness and the prosperity of the country whose affairs you direct.

We have the honor to be with
the highest respect,
Sir,
Your most obedient servants.

N. Orleans, June 1804.

To the Sœur Therese de St. Xavier Farjon Superior, and the Nuns of the Order of St. Ursula, at New-Orleans.

I have received, holy sisters, the letter you have written me, wherein you express anxiety for the property vested in your institution by the former governments of Louisiana. The principles of the Constitution and Government of the United States are a sure guarantee to you that it will be preserved to you sacred and inviolate, and that your institution will be permitted to govern itself according to its own voluntary rules without interference from the civil authority. Whatever diversity of shade may appear in the religious opinions of our fellow-citizens, the charitable objects of your institutions cannot be indifferent to any, and its furtherance of the wholesome purposes of society, by training up its younger members in the way they should go, cannot fail to ensure it the patronage of the government it is under; be assured it will meet all the protection which my office can give it.

I salute you, holy sisters, with friendship and respect.

(Signed)
TH: JEFFERSON.

[*BY AUTHORITY*]

THOMAS JEFFERSON,

President of the United States of America,

To all whom it may concern.

The citizen Martel having been appointed by the French government, commissary of commercial relations of the French republic for the state of Kentucky, and no port of foreign entry being designated in his commission for his residence, I have thought proper in order to further the intent of his commission to recognise him as commissary as aforesaid, to reside at the city of New Orleans, and declare him free to exercise there, such functions, powers and privileges as are allowed to the similar agents of the most favored nations.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.

GIVEN under my hand, at the city of Washington, the twenty-seventh day of June, in the year of our Lord, one thousand eight hundred and four, and of the independence of the United States of America, the twenty-eighth.

TH: JEFFERSON.

By the President,
JAMES MADISON, Sec'ry of State.

Governor Claiborne has addressed the following circular letter to the several civil commandants.

NEW ORLEANS, Sept. 17, 1804.

SIR—

On the first of October, the act of congress, "erecting Louisiana into two territorities, and providing for the temporary government thereof," will be in force, but I deem it proper to inform you, that your powers as civil commandants will not at that time cease—You will therefore exercise the authority with which by law you are now invested, until some provision, upon the subject, shall be made by the legislative body to be created by the act aforesaid, and of which you will be duly notified. It is expected, that as heretofore, you will communicate to the governor all occurrences of importance in your district, and in case of difficulty, consult his opinion, and await his advice.

I take this opportunity to thank you, for the zeal and fidelity with which you have discharged the duties of your office, and to request that with the same motives of regard for the public good which have hitherto guided your conduct, you will continue to administer justice in mercy, and to maintain that harmony, security and good order, so essential to the happiness of our fellow citizens.

Accept assurances of my respect and esteem.

WILLIAM C. C. CLAIBORNE.

The federalists who are eternally prating about they know not what, sometimes *Virginia* influence, sometimes the loss sustained by the purchase of *Louisiana*, are desired to recollect that Pennsylvania and New York, two of the most enlightened and powerful states in the union, are as completely for the present measures of national economy and frugality, as *Virginia*, and even more united in support of those measures. Why then always *Virginia*? It must be highly flattering to that state, to be thus forever censured by the anglo-federal faction. But, as to *Louisiana*, we would remind them, that Messrs. Ross and Morris, who are now despised by their own partizans, advised a war to obtain this second *Paradise*; which they, and all their followers, then said was invaluable! It is our belief, that if this territory was to be sold at auction to morrow, it would bring at open market and under the hammer, thrice the sum it cost! If a farm sells for three times its original purchase money, is the vender a loser?

TO THE EDITOR OF THE STAR.

HAVING been called on to say, for whom I would vote were I an Elector of President and Vice-President of the U. States.

In answer to this question, I do hereby unequivocally declare, that Mr Jefferson the present President of the United States, would be my decided choice as President; and, that Mr. George Clinton late Governor of the State of New-York, would be my choice as Vice-President: and for whom, in such an event *I will vote.*

SAM. T. WRIGHT.

Centreville, Oct. 27, 1804. 3