NATIONAL INTELLIGENCER,

AND

WASHINGTON ADVERTISER.

Vol. III. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. *No. CCCCLXXI.*

Five Dolls. Per ann. FRIDAY, OCTOBER 28th, 1803. *Paid in advance.*

COMMISSION INTELLIGENCE,

(Concluded.)

Friday, August 2,

Owen Kirvan, who was convicted the preceding day, was brought up to receive sentence, which the Hon. Baron George pronounced with affecting solemnity, after the following very serious exhortation to the convict:

"Owen Kirvan, after a full and patient hearing—after a most minute and impartial investigation of the charge preferred against you, you have been convicted of high treason. It appears you were a dealer in old clothes, and used the semblance and industry to the most wicked and destructive purpose—a purpose which, could you and your unprincipled and cruel associates effect, would dry up all the sources of industry, confound all order, destroy all security, and leave your country an hideous ruin. It appears that you were an active emissary in rebellion, and had obtained by that activity the rank of a leader. You were not of the multitude of devoted victims who are led to slaughter and plunged in crime by impositions on their ignorance and their passions. You seemed perfectly aware of what you were about, well acquainted with the plan and views of rebellion, and engaged in it with cool deliberation and systematic wickedness.—You had collected, on the fatal evening of the 23d July, a party of traitors about you, and while they proceeded one by one to the scene of their collective atrocities, you stood at your hall door, looking up at the heavens, unmoved by any thought of futurity, and attentively watching the signal of rebellion. You saw a rocket explode, when you cried out in extacy, "*the city is our own!*" You were seen immediately to change your dress—you called for your pike, and you repaired to the work of death, proclaiming in the true spirit which governed you and your horrid associates, that every man who did not actually join in active rebellion that night, should suffer military execution next day! Thus denouncing the vengeance of rapine, licentiousness and murder, against every orderly, industrious and honest member of the community; so that had you succeeded that night, your innocent and unoffending fellow-citizens, who by any chance should have escaped the pike of the midnight assassin, were the next day to fall in a common massacre! and from your own mouth did you furnish the horrible but destructive testimony, that neither ignorance of your design, nor a passive acquiescence to your progress would have proved a protection against your demoniac fury, and indiscriminate thirst of plunder and blood.

"What attrocities; what cruel deeds of sanguinary rage you were engaged in that night, are only known to yourself, and, to that God before whom you are so soon to appear.—What horrid crimes you have heaped upon your soul, until with your miscreant associates defeated, scattered, and hunted, is a secret which christian penitence would instruct you to discharge from your mind while yet the opportunity is permitted you. The charges against you have been clearly established by the most satisfactory evidence, corroborated by your flight, the usual consequence of conscious guilt. Under pretence of visiting your sick child you absconded until you conceived the danger had subsided, and were taught to believe yourself unsuspected. The justice of your country has, however, overtaken you; and your wicked associates, if ever again deluded into acts of rebellion, must not expect to escape as on that night. Indeed it may appear a most extraordinary circumstance that any were enabled to escape, for all the armed preparations made by treason were defeated and crushed only by two lieutenants of his majesty's army, Brady and Douglass, with the few men under their command: But if lieutenant Douglass had happened to be fully acquainted with the law, as far as was necessary to regulate his conduct, and had not waited for the orders of the kind of justice who attended, but promptly commenced a fire upon the insurgents, few of them could have escaped to life or to repentance; the law in such cases is now, however, well and universally known, and his majesty's troops are no longer ignorant that they can proceed of their own power to instant military execution in putting down rebellion whenever and wherever it dares to shew its horrid front. You, however, with several others, have been providentially preserved to expiate, according to the forms of the law, the sore injuries you have inflicted on society; those laws which you have subverted, have been deliberately and dispassionately directed to your case. With a constitutional magnanimity, and dignified moderation which causes the government of this country to be strengthened by the very attack made upon it, and exalts it above praise, this commission was not issued until full and ample security was had, that the minds of men would be so effectually cool, and abstracted from those events which rendered it necessary, that no prejudices or resentments could affect that equal justice which is the proud character of our laws; it was not issued until it had become manifest that the established authorities were so secure from the attempts of treason, that a juror could feel no temptation from fear or from resentment, to swerve from the faithful and just discharge of his duty.

"You were coolly tried and ably defended—that defence was heard with patience, and you have had every advantage possible to be derived from laws, more tender of the life of the subject, and all the rights attached to society, than those of any other country upon the face of the earth—and, surely, when the excellence of those laws are considered—the protection they afford—and the pure and rational freedom enjoyed under our unequalled constitution—it is truly astonishing how any man, or body of men, could be found meditating or attempting the destruction of so beautiful a system!—It would be incredible, if proofs the most melancholy were not furnished of the contrary, that such men could be found living under the dominion of a sovereign who has given to his people, and peculiarly the people of this country, forty three years experience of the most exalted virtues, and the most parental anxiety for their happiness and welfare, but if, insensible to the beauties of our constitution, and the allegiance which wisdom and goodness should have endeared to you and your associates in crimes, it is not wonderful how you could be so insensible to your own safety—so wretchedly insane, as to think, but for one moment, that you could seize upon a government fenced round by such impregnable support—such great wealth and power; such loyalty in the people; and such great armies, formidable in number, in discipline and in bravery. How is it possible that you could be so mad as to think that any rabble insurrection could disturb a government so great in the affections of the people—a government not undefined, nor its members unknown—an amiable virtuous viceroy, the faithful representative of his sovereign's goodness is open to access, and visible to those he governs; every member of his administration is the same—none are ashamed or afraid to shew their honest fronts to the mid-day sun. The laws are known by which they rule, and which rule them. The protection of person or of property is not the speculation of the future—freedom is not the hope of giddy theory. Those great objects of human association we possess in their best form—and by what infatuation any man, the most low and ignorant, could be induced to withdraw from their kindly protection to place themselves under a provisional government, is most inexplicable! What is this provisionary government? Who are they that compose it? Do you know whether it consists of a single tyrant, or is it a many-headed monster? Are its members French, or English, or Irish? Know you any thing at all of it?—[Here the wretched prisoner exclaimed, that he was wholly ignorant what the provisional government was, or of whom composed]—and is it (continued the learned Judge) for this undefined authority, shrouded in the darkness of guilt, that you have disturbed the peace of your country, and forfeited your life? Is it to further the ambitious views of men you know nothing of, and who consult only to build their own fortunes on the ruin of society, that you and your partners in treason have acted with such ideot extravagance? It is a madness so strange—so unaccountable, as only to be acted upon by the most savage ignorance and barbarism.

As to you Owen Kirwan, I must earnestly exhort you to use the time allotted for you in this world, in sincere and penitent endeavors to reconcile your soul to that God, before whose awful judgment seat it is to appear so soon. Consider seriously the atonement you have to make, and the crimes with which the transactions of that fatal night, the 23d of July, have loaded your guilty spirit—lighten the weight while yet it is in your power; for, be assured, that whatever may have been your intentions—whatever the motives impelling you to rebellion, there was not a murder committed that night, in prosecution of it, but what you participate in, and for which you are answerable to the Almighty. Do not suppose that the cause you engaged in, and for which you have forfeited your life, is popular, and will rescue your memory from the deserved odium which must attach to it in proportion as you die obdurate and unatoning. No! wretched man! your mad atrocities—your horrible assassinations will only be remembered, and the detestation of posterity feature you in the blood you have shed! In the last rebellion it was to be lamented, that wicked men made use of arguments to mislead the weak, and to palliate treason—but has any one human creature said a single word in favor or palliation of the insurrection to which you have been so actively assisting? No! its sole object has been blood and desolation, and the fate of him who could promote in conspiracy or in action, such an object, can never be attended with popularity—discharge, therefore, such a wicked and dangerous delusion from your mind, if you should be so unhappy as to entertain it—think only of your salvation as a contrite Christian should, and do not leave this world with a lie in your mouth, and go before your Maker swaggering in vain and boastful guilt. Believe me, unhappy man, that to disclose all you know, and thus make to your injured country and offended God, all the atonement in your power, will prove an inexpressible consolation to you in your last moments, and infuse into your soul that sweet consciousness of right, which can alone sweeten the bitter draught you are about to take, and justify a hope of future pardon and happiness. You were told that a rocket would be the signal of insurrection. You knew of the mischief to be done—you were evidently deep in the dreadful secret—and, therefore, again I exhort you, as you value your eternal salvation, not to leave this life until you do justice to your country, and make what return you can for the crimes with which you have disgraced it. But while I thus urge you to the disclosure which your duty should suggest, do not think I am authorised to hold out any hope to you, or that any disclosure will be an atonement to the law—but under any consideration of your interest or duty you must act in opposition to both, whether in this world or the next, by denying the truth and justice of the verdict pronounced upon you, and persisting in a frame of mind incorrigible to repentance and atonement."

After observing feelingly on so painful a part of his duty, the learned and eloquent Judge then passed sentence of death on the prisoner in the usual terms prescribed by the law.

From the Albany Gazette.

NOTICE.

To all whom these presents may or shall concern:

Whereas the President and Directors of the Albany Mercantile Company, upon the eleventh day of October, inst. laid before the stockholders of the said company, in consequence of their resolution of the first inst. requiring the same, the following statement, viz.

Statement of the concerns of the Albany Mercantile Company, up to the 11th day of October, 1803.

	Dolls.
Debts	35,813,46
Expences	1,47,7
Cash	23,355,99
	60,641.16

	Dolls.
Stock	31,409
Bank Notes	27,220
Discounts re.	1,533 02
Deposits	263 14
Profit and loss	26
	60,641 16

Cash in Bank as follows:

Specie	dols. 15,322 99	
Albany paper	3,405	
State do.	250	
N. York & miscellaneous,	287	
	19,275 99	
Mercantile paper.	4,689	
Of which is defaced		3,286,00
	23,334 99	
Amount due on stock notes,	1797	

Albany, October 11, 1803.

JOHN GUYLER, *Cashier.*

Whereupon it was manifest, by the trifling amount of the deposits, the diminution of the specie, the small excess of the discounts beyond the capital stock, the certainty that these could not with prudence be increased, and the expences of the institution, that the banking operations of the said company had been and must necessarily be, attended with great loss to the stockholders.

And whereas a majority of the stockholders present on the said 11th day of October, did therefore resolve, that the said Albany Mercantile Company should be dissolved from and after the first day of November next—that the Directors should make no new discounts, except the loaning the amount of the stock paid in—that they should take proper measures for bringing the concern to a close—that they should be the trustees to the stockholders from and after the said first day of November next, and until the affairs of the company should be so arranged, that a final settlement thereof might be made which should be done by the first day of January next.

And whereas several of the stockholders, together with a majority of the persons now acting as Directors, have declared a determination to call in the remaining capital stock, and to continue the banking operations, notwithstanding the loss which has been, and must be sustained thereby:

We do therefore hereby severally give public notice, that we have withdrawn ourselves as partners, from the said company, that we will not henceforh be in any wise responcible for any acts in the name of the company, or of any persons acting as directors, officers, agents or servants thereof—and that we do and shall hold such directors, and all such persons as may be entrusted with the possession or management of the funds or estate of the company, accountable for watever losses or damages may hereafter be sustained by them, or any of their means or default either of interest on the capital stock, or otherwise.

Given under our hands this 13th day of October, 1803,

John Jauncey, Derick A. Brade, Robert Gaskaden, Geo. Wilson, James J) Hoit, (by his attorney, John Jauncey Saml. M'Elroy, John Macauly, Samuel Whiting, G. Fairman, T. R. Austin John Brunson, Chr. Leffingwell, Jacob Norris, Meads and Randel, John Hendrickson, John Jauncey and Co. Joseph Fry, J. P. V. Benthuisen, B. V. Benthuisen, Abm. D. Lansingh, W. B. Whiting, John Gates, John Whiting, Nathan Whiting, Nancy Tiffany (by Samuel Whiting, their agent) Isaac Leavenworth.

N. B. As the original protest is left with the printers, such stockholders who have not signed, can have an opportunity by calling on them. The shares owned by the above subscribers, amount to 843 dollars.

From the AURORA.

RELATING TO LOUISIANA.

A friend has favoured us with a letter which he has lately received from a gentleman residing in the Illinois or Indiana territory, with permission to extract therefrom such parts as might in any degree assist in forming a correct judgment of the acquisition of Louisiana. We are induced to make an extract of considerable length, relating prospectively to points of policy on which we have seen nothing yet written; though the idea may not be altogether new to our representatives in Congress from the westward. Of the acquisition of Lousiana the writer says:

"The inhabitants of this western world, are highly gratified with the information that Louisiana is shortly to be attached to the United States: So valuable an acquisition to our territory, must, I should imagine, gladden the heart of every friend to our country. The benefits which will more particularly result, from the measure, to the inhabitants of the western country, watered by those streams which seek the ocean through the channel of the Mississippi, are incalculable. It will not only relieve them from that vexatious and humiliating treatment they so long have been accustomed to meet with in the port of New-Orleans; but will afford them personal security, and a fair and certain market for all the surplus produce of the country. This latter circumstance must operate as a powerful stimulus, to that among the first of blessings to a country, industry; and without which no people ever become populous or flourishing, or enjoy a tolerable degree of happiness." He then proceeds:—"There can be no doubt, I presume, but that the treaty will be ratified by our government; in which event I expect the immediate attention of congress will be drawn to providing and establishing a suitable system of goverment in the newly acquired territory. In doing this they, no doubt, will be influenced by the interests and convenience of the inhabitants, so that I think it more than probable, on taking a view of the country, as laid down in our maps, that it will be divided into two or three districts, and a territorial government established in each, similar to that of the Mississippi territory. You will observe by casting your eyes on the map that the province of Louisiana is very long and very narrow; and let me add, the settlements are pretty generally confined to within a few hundred miles of each end, leaving a large space of many hundred miles between, almost a perfect wilderness, containing but few or no inhabitants.

Should congress think proper to adopt this plan, and I think it more than probable they will, I should be very glad to see the two western counties of this territory attached to the upper district. I am persuaded the particular interests of the inhabitants call for the measure, and I have not the least doubt but that it would meet with their almost unanimous approbation.

We are separated from the settlements, which the upper district must contain, by the Mississippi only, and from the other populous parts of our territory, and from the seat of government, which is established at Vincennes, we are separated by a wilderness of at least 160 miles; so that it would be much more convenient, for all the purposes of government, to the inhabitants of those two counties to be attached to the new territory than to remain as they are.

Should the country be divided as I have suggested, the upper district would, in all probability, commence so low down the Mississippi as to embrace the village and settlement of Lanceletgrasse; in which case from the best authorities, it would contain about 9,000 inhabitants. The settlements are generally near the Mississippi, and seldom or never extending back from it more than 20 or 30 miles; and almost connected, throughout their whole extent, on the river, which is a distance of about perhaps 250 miles.

This district contains several small villages, as St. Louis, Jenvieve, Lanceletgrasse &c.

The two western counties of the Indiana territory, which are proposed to be attached to the upper district, lie along the east-side of the Mississippi, about two thirds of the extent of what, in all probability, will constitute the upper district, and contain a number of small villages, as Kaskaskias, Cahokia, &c. all of which lie near the Mississippi, as also the different settlements. So that they are separated from the villages and settlements of what would compose the upper district of Louisiana by the Mississippi alone—the settlements on either side being pretty generally nearly opposite to each other, and extending to the even side. The population of these two counties is about 3,000 inhabitants. The interests of the inhabitants on both sides of the Mississippi are most intimately connected, and must, from the nature of things, be the same. The inhabitants are connected by blood, marriage and every social tie which binds society together—members of the same family are very generally to be found settled on either side of the river—their education, manners and habits the same, and are in short in every respect well calculated to live in very great harmony under the same government."

The concluding part of the letter relates to the policy of permitting slavery in Louisiana in its fullest extent as at present. This subject will no doubt claim the mature attention of congress, so soon as matters are otherwise accomplished; it is a subject on whic[illegible] may be said and written, but fr[illegible] enlightened conduct of the United [illegible], and of the several states heretofore, the friends of humanity have reason to expect such measures in future as without militating against particular and temporary interests will lay the foundation of gradual abolition of slavery in every quarter. The writer of the letter which we have extracted from appears to be a friend to slavery in its greatest extent in Louisiana and even the Indiana country, his sentiments are not at all consistent with ours.

Instead of establishing slavery in Louisiana, we look upon the acquisition of that country as a blessing, since from its possession we are in a fair way of dispersing our present coloured population over