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SPEECH

DELIVERED BY

GOVERNOR CLAIBORNE,

TO THE

LEGISLATIVE COUNCIL,

ON PROROGUING THEM, JULY 3, 1805.

Fellow-Citizens of the Legislative Council:

I HAVE attended in this hall for the purpose of proroguing your session, and thus to close, perhaps forever, the political connexion now subsisting between us. The occasion has given rise to reflexions, calculated to excite on my part a great degree of sensibility. To you, gentlemen, who have participated with me the toil of legislating for a territory situated as this has been; where a general innovation throughout the whole system of government, presented a variety of legislative objects that required the exercise of a more than ordinary share of talent and discretion; where prejudice and former habits presented impediments to that progress of improvement, which experience had suggested and reason sanctioned; and above all, where party spirit, lighted up by restless, and occasionally by unprincipled ambition, was too successful in producing distrust and inquietude; permit me to observe that to citizens, who neither influenced by any wayward impulse of the moment or awed by the difficulties in view, attended with fidelity and remained with firmness at the post assigned them by their country, a great debt of gratitude is due, and my sincerity cannot be questioned, when for them I profess much respect and a sincere regard.

Uncandid men have said, and many have been deceived into the belief, that this country became annexed to the United States under the most favorable auspices, and that therefore every dissatisfaction manifested by the people, may be attributed to the feebleness or wickednes of the local administration. To what degree of credit this statement is entitled, you, gentlemen, well know. But let the stranger be told, that at the period of the cession, the aspect of affairs in Louisiana was not such as to justify an expectation on the part of those entrusted with the government, that their administration would for some time, be otherwise than painful and perplexing.

In a territory whose citizens are for the most part either natives or descendants of natives of France or Spain, who had long cherished a fond remembrance of the country of their forefathers:—In a territory that had been controuled by the will of arbitrary chiefs for near a century, and harrassed by frequent change of allegiance; where the ties of birth, affinity and language; the influence of habit and past favors, had made those impressions, which like causes every where produce, the man indeed must be little acquainted with human nature, who had supposed that in a territory thus situated, the principles of the American government could have been introduced without difficulty, or that the public functionaries could have discharged their duties in such a way, as to have conciliated the good opinion of all. That the people have experienced *inconvenience*, must be admitted; but that it was inseparable from the change of dominion. During the first provisional government, probably some errors may have been committed, and these have too often been exaggerated by the malevolent and designing. On this subject, however, I feel no uneasiness, as the errors of a good intention will readily be excused by a generous people; but in relation to the *calumnies* to which I have been subjected, and *their authors*, I look down upon them with contempt, from that eminence on which conscious rectitude has placed me. I believe I may confidently assert that the provisional administration in Louisiana was commenced and conducted with consistency as to the principle by which its acts were governed; a principle of mild and conciliatory justice, resolved on at an early period as the best policy that could be pursued in a district, where the harmony of the citizens was secured but by slender ties, and where it was the daily labor of some to rend those ties asunder. Armed as that administration was with extensive power, it was, perhaps, difficult to avoid the character of tyranny, without being exposed to charges of defect on the other extreme.

Superficial observers and perverted minds are often unable to view the arm as otherwise than feeble, which, when clothed with power, refuses to exert it. But the *principle* was fixed. and if occasions did occur that might have justified a departure from *it*, I nevertheless look back with pleasure to the forbearance that was so happily persevered in, and I feel proud in the reflection that no unworthy spirit of resentment, was at any time manifested by the government or its friends.

But whatever, upon the whole, may have been the defects of that administration, this much at least we find to be a fact, that the country has suffered no material injury from them; that thro' the favor of Heaven and the amiable disposition of the people in general, good order was preserved, private and public rights secured, and the territory advanced in agriculture, commerce, population and real wealth.

Fellow-Citizens
of the Legislative Council:

I now come to the period at which your labors commenced, and permit me to assure you of my great admiration of the judgment you have manifested in selecting proper objects of legislation. Your code of criminal law, exhibiting a system at the same time mild and energetic; the judicious innovations which you have occasionally made in the municipal arrangements of the country; the wise acts you have passed for the convenience, encouragement and protection of commerce, as well as for the internal improvement of the territory; and above all, the laudable provision you have made for the introduction of science and literature, and for the education of the rising generation, will remain lasting testimonies of your abilities, discretion and real patriotism. With respect to the laws for the organization of the militia, I have great confidence in their success; but a sufficient time has not elapsed to give the operation of them a fair trial. Within a period so limited as that of your sessions, and with such a diversity of duties before you, more could not have been expected, and it is a subject of congratulation that so much has been done, and done so well.

Another important change in the nature of our government now awaits us. The Congress of the United States, *ever just to their engagements, and faithful to the interests of all within their protection*, have assigned the period at which Louisiana is to become one of the sovereign and independent states of the American Union; in the mean time the right of self government is extended to this district, under the like restrictions which have been laid on our fellow citizens in the other territories of the United States. This species of temporary government has been found commensurate to the protection of society, and the advancement of the general weal, and is certainly well calculated for the gradual introduction of those representative principles, on which the future constitution of the state (when erected) must necessarily be predicated. But possibly there may be many, whom this new form of government will fail to satisfy. It would indeed be a presumption unwarranted by experience, to calculate on universal approbation of any measure. The best of men may occasionally differ in political sentiments, and the investigation of their opinions lead to truth, and may be considered one of the salutary incidents of political freedom. But, unfortunately, society is infested with members who argue, not to enlighten, but to mislead their fellow citizens, and who from motives of disingenuous ambition or from malice, labor incessantly to raise themselves on the ruin of others. That there have been, and still are a few individuals among us of that description, is I fear too true. Under their patronage calumny may recommence its efforts—It may distort the most innocent actions, and pervert error into crime—It may enter the threshold of domestic life, harrow up private feelings, and produce private distress: But the distrust of the discerning, and the contempt of the good, will sooner or later drive the authors into obscurity.

Fellow-Citizens
of the Council:

After the political change, on the eve of which we now are, there remains but one more which this territory is destined to experience, and that is its complete incorporation into the American Union. We have heard idle reports of various kinds, respecting new territorial divisions, and partial, and sometimes total retrocessions to foreign powers; but these seem to be the fanciful chimeras of unreflecting minds. My firm belief is, that the Mississippi will cease to flow ere she ceases to behold Louisiana attached to the empire of American Freedom. A disposition to encroach on the territories of others is foreign to the nature of our government; but the perfect preservation of her own is one of its vital principles. Just to the rights of others, the American nation will preserve her own inviolate, or perish with them.

Fellow-Citizens
of the Council:

I fear the range I have taken has been too extensive, and that I trespass upon your polite attention. Your duties are closed—I declare your session prorogued, *sine die*. You will retain my affectionate remembrance, and my best wishes accompany you.

WILLIAM C. C. CLAIBORNE.

NEW-ORLEANS, *July 3d, 1805.*

Foreign Intelligence.

GENOA, June 2.

Some of our Senators, who were ſent to Milan to the coronation of the Emperor Napoleon, as King of Italy, having returned here on the 24th May, with M. Salicetti, the French Miniſter. On the next day an extraordinary ſitting of the Ligurian Senate was held, in which the moſt important queſtion which could be ſubmitted to the conſideration of that Aſſembly was diſcuſſed, The Genoeſe Senate, in this meeting, formally declared for an union with the French Empire, proclaimed its conditions, and reſolved to ſubmit it to the approbation of the people. The Decree follows in theſe words:—

"The Senate, taking into conſideration the actual ſtate of the Republic, and convinced that an independence, without ſtrength or means to protect its commerce, the only ſource of its national proſperity, is of no advantage to the State of Liguria, and that it cannot exiſt without being united to the French Empire, particularly ſince Piedmont has been incorporated with it; conſidering, beſides, that the declaration made at the Congreſs of Amiens, by the Engliſh Government, that it could not recogniſe the Republic of Genoa until it had reſumed its antient form (a condition to which the Ligurian people could never conſent,) expoſes it to the ſevere neceſſity of being involved in all the naval wars which may ariſe between France and England: conſidering that if, on the one ſide, the Barbary powers, deſolating the Ligurian commerce, make all maritime communication impracticable, ſo on the other our communications by land are as much interrupted by the neceſſary ſyſtem of the French law of cuſtoms; conſidering, *in fine*, that the only means of withdrawing ourſelves from a ſituation ſo critical, of re-eſtabliſhing our commerce, of recovering all our rights and privileges, and of removing all the obſtacles to our participating with the commerce of France, the immenſe advantages which peace will aſſuredly procure for her, is to incorporate ourſelves with the French nation, and that to obtain this favour, it is adviſeable to profit of the journey of the Emperor and King of Italy; decrees—

"Article 1. The union of the Kingdom of Italy with the French Empire, ſhall be propoſed to his Majeſty the Emperor and King, under the following conditions:—1ſt. That all the Ligurian territory, without the leaſt reduction, ſhall compoſe an integral part of the French Empire. 2d. That the debt of the Ligurian Republic is to be liquidated in the ſame way with the debt of the French nation: 3d. That Genoa ſhall be a free port, with all the privileges thereunto annexed: 4th. That in apportioning the land tax, due regard will be paid to the barrenneſs of the Ligurian ſoil, and the expences of agriculture, more conſiderable than in any other country: 5th. That there are neither to be barriers nor cuſtom houſes between France and Liguria: 6th. That the law of Conſcription ſhall only apply to ſailors: 7th. That the export and import duties ſhall be regulated in the manner the moſt favorable to the agriculture and manufactures of Liguria: 8th. That all civil and criminal ſuits ſhall be decided either at Genoa or in ſome of the adjacent departments of the empire: 9th. That all the proprietors of national property ſhall be ſecured in the poſſeſſion and full enjoyment of the ſaid property.

"Article 2. The preſent decree ſhall be immediately ſubmitted to the deciſion of the people.

"LAZOTTI LANZOLA.
Chief Sec'ry."

The Regiſters having been immediately opened throughout all Liguria, to receive the votes of the functionaries and citizens, the decree of the Senate was inſtantly ratified by a great majority of affirmative votes. The Regiſters were collected at Genoa, and intruſted to deputies, who yeſterday ſet out to preſent them to the Emperor of the French, and to entreat his Majeſty to grant the requeſt expreſſed—Previous to the departure of the deputies, an official communication was made of the wiſhes of the Ligurians to the Auſtrian Envoy, Baron Giuſti, in the following note:

"*GENOA*, June 1.

"The underſigned Senator, Miniſter for Foreign Affairs, has the honor to communicate to his Excellency the Envoy Extraordinary and Miniſter Plenipotentiary of his Majeſty the Emperor of Germany and Auſtria, the decree whereby the Senate has induced the union of the Ligurian Republic with the French Empire; a decree which has obtained the ſanction of the people, and in virtue of which a deputation has been appointed to lay before his majeſty the Emperor of the French and King of Italy, the wiſhes of the whole nation. His Excellency has reſided ſufficiently long at Genoa to be ſatisfied of the impoſſibility, under which this country labored, of preſerving its independence amidſt events which have changed the face of Europe.—Too weak to protect our commerce and navigation, we have conſtantly ſeen our flag inſulted, and our coaſts expoſed to the pillage of the Barbary powers. While the great powers were occupied in making their flag reſpected, they abandoned the weaker ones to the outrages of the enemies of the Chriſtian name. Our interior police alſo was ſo difficultly circumſtanced, that a band of robbers, who had taken refuge in the mountains, were become an object of terror to the neighboring parts.

On the other hand; England, in the negociations which preceded the treaty of Amiens, would not recogniſe the exiſtence of our new ſtate, nor the changes which we had thought proper to make in our conſtitution, by aboliſhing the ariſtocracy, and by preferring to all other advantages, that equality of rights, on which the proſperity of every commercial nation is founded—She has, in ſpite of our efforts to the contrary, included us in all her wars with France, and our maritime commerce has always been a prey to her tyranny. On the land ſide, we were ſo ſurrounded by the territory of the French empire, that if our city ſtill poſſeſſes any commerce, we owe it to the Emperor, who has treated us with ſo much goodneſs, that he has made ſacrifices in our favor, to the poſſible prejudice of Nice and Marſeilles. We had every reaſon to apprehend, that in the courſe of time, his Majeſty would not be able to continue to us theſe advantages; and then, ſurrounded by the French cuſtom-houſes, without territory, marine, or commerce, we ſhould have been a moſt weak and miſerable nation. The decree which united Piedmont to France, had already pronounced the union of our territory with the French Empire, and of our city, which is only a part of Piedmont.

"In this ſtate of affairs, by an unanimity of opinion, which is unexampled in any nation, anxious to ſhow ourſelves worthy of our fathers, and unable, when left to ourſelves, to give our flag that ſplendour and glory which our anceſtors have obtained for it under different circumſtances, we have reſolved to recover that ſplendor, and that glory, by incorporating ourſelves with a great nation, and by ſubmitting ourſelves to the laws of a great Prince, who has always manifeſted towards us ſentiments of friendſhip, and has honored us with his particular protection.

"The deputation, who carry the voice of the Senate, of the Doge, and of the people, depart this evening; and when they ſhall have paſſed the frontiers of our territories, we ſhall conſider our independence at an end.

"The government has thought it proper to communicate theſe circumſtances to his Excellency the Baron de Giuſti, and to aſſure his Majeſty the Emperor of Germany and Auſtria of their gratitude for the concern he has evinced on ſeveral occaſions; and at the ſame time to acquaint his worthy Repreſentative at Genoa, that his miſſion is hereby terminated.

"In placing ourſelves thus under the laws of the French empire, we do not in the leaſt add to her continental ſtrength.—Our population, few in number, is far from warlike. The produce of our finances will be entirely abſorbed in the expences of the defence of our coaſts, and the eſtabliſhment of our arſenals. France, by this union, will obtain an augmentation of naval force; and we cannot but think that we are doing what is the wiſh of all the Continental powers, namely, to enable her to contend with the enemy of all nations, and the tyrant of the ſeas.

"The underſigned has the honor to reiterate to his Excellency the Miniſter Plenipotentiary and Envoy Extraordinary, the expreſſion of his entire eſteem, and diſtinguiſhed conſideration.

(Signed)

"ROGGIERI."

Milan, June 7.

The session of the legislative body opened this day. At six in the morning his excellency gen Duroc, grand marshall of the palace, took the command of the palace of the legislative body. The members of the legislative body assembled in grand costume in the hall of their sittings, at one o'clock. The council of state proceeded, at one o'clock, from the palace to the palace of the legislative body, where they were received by a deputation of three legislators. This deputation conducted the members of the council to the places destined for them. At half past one the empress arrived at the palace of the legislative body, accompanied by her imperial highness the princess Eliza, by her ladies, and the officers of her household. Her majesty was received at the outer door of the palace by the president and deputation of thirty members of the legislative body, and conducted to the tribune prepared for her. His majesty's train set out from the palace at two for the palace of the legislative body. His departure was announced by a discharge of artillery. The way through which his train passed was lined with troops. The procession was arranged with the usual pomp and according to the established forms, and preceded and followed by a detachment of the French and Italian guards, and by squadrons of Mamelukes. His majesty's arrival at the palace of the legislative body was announced by a second discharge of artillery. He was received at the outer door by a deputation composed of thirty members of the legislative body, with the president at their head. The procession assembled in one of the halls of the palace, whence it proceeded in order to the hall of sitting, where the places were arranged in the following order: His majesty the emperor and king on a throne; on his right his serene highness prince Eugene in a chair, two steps lower than the throne; behind his majesty on the right and left, two colonels, generals of the guard, the grand marshal of the palace, the grand major Domo, the Grand almoner and marshal Mencey; back of the throne the chamberlains and French and Italian esquires. The other officers of the court were stationed according to their rank. Opposite the throne the legislators were disposed in a circular form, their president in the centre, without any distinction of place, but having two state messengers of the legislative body, one on his right the other on his left. Before the legislators sat the council of state on chairs, half on the right and half on the left. When his majesty was seated on his throne, the whole were uncovered. The grand master of the ceremonies took the orders of his majesty. The legislators, summoned individually by the chancellor, took the oath, after which the secretary of state read the statutes of the kingdom. These statutes are eight in number. The eighth respects exclusively the establishment of a military order, under the denomination of *The order of the Iron Crown*, and is divided into five titles. The order is to consist of five hundred knights, one hundred commanders, and twenty dignitaries. The motto is to be '*Dieu me l'a donnee, gare a quiry touchera.*'—Vacancies are to be filled up every year, on Ascension day. Four hundred thousand Milanese livres are to be appropriated to the order. Each knight to have 300 livres yearly, each commander 800, and each dignitary 3000 livres. One hundred thousand livres of this revenue to be set apart for such extraordinary life pensions as the grand master shall think proper to grant to any knights, commanders, or dignitaries. The king of Italy to be grand master, but the emperor and king, Napoleon, in consideration of being founder, to retain, during his life, exclusively the title and functions of the office. The statutes were signed by all the public functionaries, and directed, by order of the Emperor and King Napoleon, dated June 6, at his palace of Milan, to be transmitted into the registers of the tribunals' administrative authorities.

Prince Eugene then was summoned by the grand master to take the oath as Viceroy. He made a profound bow to his majesty, and placed himself on his knees on a cushion at the left of the Throne, where putting his hand on the Gospel, he pronounced the following oath:—

"I swear to be faithful to the constitution, and to obey the King; not resign my functions till the moment I shall receive the King's directions thereupon; and to give up immediately the authority with which I am invested, to any person that shall be deputed by him."

His Majesty then addressed the legislative body, as follows:

"*Gentlemen of the Legislative Body,*

"I have caused a detailed account to be rendered to me of all the parts of the administration. I have introduced into these divers branches the same simplicity that, with the help of the Consulta and of the Censure, I established in the division of the constitution of Lyons. Whatever is good, whatever is beautiful, is always the result of a uniform and simple system. I have suppressed the double organization of the departmental administrations, and of the administrations of prefecture, because I have thought that by resting the admi-