

LEGISLATURE OF KENTUCKY.

IN THE HOUSE OF REPRESENTATIVES. Tuesday, Dec. 2.

Deposition of Harry Innes, continued.

This deponent since making this communication recollects that Mr. Sebastian informed him when he gave up the original paper to be submitted to col. Nicholas, Mr. Power requested it to be returned to him with our answer, which was done but not until this deponent took a copy, which with the answer are as follows:

His excellency the baron of Carondelet commander in chief and governor of his Catholic Majesty's provinces of West Florida and Louisiana, having communications of importance, embracing the interests of said provinces, and at the same time deeply affecting those of Kentucky and the western country in general to make its inhabitants, through the medium of the influential characters in this country, and judging it in the present uncertain and critic attitude of politics, highly imprudent and dangerous to lay them on paper, has expressly commissioned and authorized me to submit the following proposals to the consideration of Messrs. S. N. L. and M. and also of such other gentlemen as may be pointed out by them, and to receive from them their sentiments and determine on the subject.

1st. The above mentioned gentlemen are immediately to exert all their influence on the minds of the inhabitants of the western country a conviction of the necessity of their withdrawing and separating themselves from the federal union, and forming an independent government wholly unconnected with that of the Atlantic states—to prepare an event, and dispose the people for such an event, it will be necessary that the most popular and eloquent writers in this state, should in well timed publications expose in the most striking point of view, the inconveniences and disadvantages that a longer connection with, and dependence on the Atlantic states must inevitably draw upon them, and the great and innumerable difficulties in which they will probably be entangled if they do not speedily recede from the union.

The benefits they will certainly reap from a secession ought to be pointed out in the most forcible and powerful manner, and the danger of permitting the federal troops to take possession of the posts on the Mississippi, and thus forming a cordon of fortified places round them, must be particularly expatiated upon. In consideration of gentlemen devoting their time and talents to this object, his excellency the baron of Carondelet will appropriate the sum of one hundred thousand dollars to their use, which shall be paid in drafts on the royal treasury at New Orleans, or if more convenient shall be conveyed at the expense of his catholic majesty into this country, and held at their disposal. Moreover should such persons as shall be instrumental in promoting the views of his catholic majesty hold any public employment and in consequence of taking an active part in endeavoring to effect a secession, shall lose their employments, a compensation equal at least to the emoluments of their office, shall be made to them by his catholic majesty, let their efforts be crowned with success or terminate in disappointment.

2d. Immediately after the declaration of independence, Fort Massac should be taken possession of by the troops of the new government, which shall be furnished by his catholic majesty without loss of time, with twenty field pieces with their carriages and every necessary appurtenance including powder, balls, &c. together with a sufficient to equip the troops that shall be judged expedient to raise. The whole to be transported at his excellency's expense to the already mentioned Fort Massac. His majesty will further supply the sum of one hundred thousand dollars for the raising and maintaining the said troops, which sum shall also be conveyed to and delivered at Fort Massac.

3d. The northern boundary of his catholic majesty's provinces of East and West Florida shall be designated by a line commencing on the Mississippi at the mouth of the river Yazoo, extending due east to the river Confederation or Tombecbee; and provided however, that all his catholic majesty's forts, posts and settlements on the Confederation or Tombecbee, but should any of his majesty's forts, posts or settlements fall to the north of said line, then the northern boundary of his majesty's provinces of East and West Florida shall be designated by a little beginning at the same point on the Mississippi and drawn in such a direction as to meet the river Confederation or Tombecbee, six miles to the north of the most northern Spanish fort, post or settlement on the said river. All the lands to the north of that line shall be considered as constituting a part of the territory of the new government, saving that small tract of land at the Chickasaw Bluffs, on the eastern bank of the Mississippi, ceded to his majesty by the Chickasaw nation in a formal treaty concluded on the spot in the year 1795 between his excellency signior Don Manuel Gayoso de Lemos, governor of Natchez and Angliakabe and some other Chickasaw chiefs; which tract of land his majesty reserves for himself. The eastern boundary of the Floridas shall be hereafter regulated.

4th. His catholic majesty will in case the Indian nations south of the Ohio,

should declare war or commit hostilities against the new government, not only join and assist in repelling its enemies, but if said government shall at any future period esteem it necessary to reduce said Indian nations, extend its dominion over them and compel them to submit themselves to its constitution and laws, his majesty will heartily concur and co-operate with the new government in the most effectual manner in attaining this desirable end.

5th. His catholic majesty will not either directly or indirectly interfere in the framing of the constitution or laws which the new government shall think fit to adopt, nor will he at any time or by any means whatever attempt to lessen the independence of the said government, or endeavor to acquire an undue influence in it, but will in the manner that shall hereafter be stipulated by treaty, defend and support it in preserving its independence.

The preceding proposals are the outlines of a provisional treaty, which his excellency the baron of Carondelet is desirous of entering into with the inhabitants of the western country, the moment they shall be in a situation to treat for themselves. Should they not meet entirely with your approbation, and should you wish to make any alterations in, or additions to them, I shall on my return if you think proper to communicate them to me, lay them before his excellency, who is animated with a sincere and ardent desire to foster this promising and rising infant country, and at the same time promote and fortify the interests of his beneficent royal master, in securing by a generous and disinterested conduct the gratitude and affections of a just, sensible and enlightened people.

The important and unexpected events that have taken place in Europe since the ratification of the treaty concluded on the 27th of October 1795, between his catholic majesty and the United States of America having convulsed the general system of politics in that quarter of the globe and wherever its influence is extended, causing a collision of interests between nations formerly living in the most perfect union and harmony, and directing the political views of some states towards objects the most remote from their former pursuits, but none being so completely unhinged and disjoined as the cabinet of Spain, it may be confidently asserted, without incurring the reproach of presumption that his catholic majesty will not carry the above mentioned treaty into execution; nevertheless the thorough knowledge I have of the disposition of the Spanish government justifies me in saying that so far from its being his majesty's wish to exclude the inhabitants of this western country from the free navigation of the Mississippi, or withhold from them any of the benefits stipulated for them by the treaty, it is positively his intention, so soon as they shall put it in his power, to treat with them, by declaring themselves independent of the federal government and establishing one of their own, to grant them privileges far more extensive, give them a decided preference over the Atlantic states in his commercial connections with them, and place them in a situation infinitely more advantageous, in every point of view than that in which they would find themselves, were the treaty to be carried into effect.

(Signed) THOMAS POWER.

Louisville, 19th July, 1797. To which the following answer was returned.

SIR, We have seen the communication made by you to Mr. Sebastian. In answer thereto, we declare unequivocally that we will not be considered either directly or indirectly in any attempt that may be made to separate the Western country from the United States. That whatever part we may in any way be induced to take in the politics of our country, that her welfare will be our only inducement, and that we will never receive any pecuniary or other reward for any personal exertion made by us to promote that welfare.

The free navigation of the Mississippi must always be the favorite object of the inhabitants of the Western country, they cannot be contented without it; and will not be departed of it longer than necessity shall compel them to submit to its being withheld from them. We flatter ourselves that every thing respecting this important business will be set right by the governments of the two nations; but if this should not be the case, it appears to us that it must be the policy of Spain to encourage by every possible means the free intercourse with the inhabitants of the Western country, as this will be the most efficient means to conciliate their good will, and to obtain without hazard, and at reduced prices those supplies which are indispensably necessary to the Spanish government and its subjects.

The original communication and joint answer of col. Nicholas and this deponent were forwarded to Mr. Sebastian, who has since informed this deponent that both were given to Mr. Power. Whether the letter was signed also by Mr. Sebastian this deponent does not know; it was sent open to him, nor does he recollect that Mr. Sebastian ever informed him that he had signed it.

This deponent says that the reasons why he and col. Nicholas did not communicate the subject to the executive of the United States were these, 1st. That it was well known that neither of us approved of Mr. Adams's administration, and that we believed he kept a watchful eye over our ac-

tions, that the communication must depend upon his opinion of our veracity, and it would have the appearance of courting his favor. 2d. That we both had reason, and did believe that the then administration, were disposed upon the slightest pretext to send an army to this state, which we considered would be a disgrace upon the people, and therefore declined making any communication upon the subject, as we apprehended no danger from the Spanish government.

This deponent requests the committee to summon Mr. Morrison to prove the declarations of col. Nicholas respecting the transactions which relate to that gentleman, if any doubt exists as to the truth of the statement herein made.

HARRY INNES.

Dec. 1st, 1806.

This deponent requested that the committee would permit an address from the Democratic society of Lexington, bearing date the 13th day of December 1793—and addressed to the people west of the Allegany and Appalachian mountains, and a remonstrance from the congress of Kentucky to the president and congress of the United States on the subject of the navigation of the Mississippi, as also a letter signed Auguste Lachaise, dated as is supposed from other papers some time in May 1794, addressed to the Democratic society in Lexington, stating that (2000) two thousand brave Kentuckians had been recruited to march against the Spaniards in Louisiana, to assist the French to regain that country, in support of the statement made by this deponent in his deposition relative to the state of the public mind in Kentucky in the year 1794, which was accordingly ordered, and the papers read.

HARRY INNES.

To the inhabitants of the United States west of the Allegany and Appalachian mountains.

FELLOW CITIZENS,

THE Democratic society of Kentucky having had under consideration the measures necessary to obtain the exercise of your rights to the free navigation of the Mississippi, have determined to address you upon that important topic. In so doing, they think that they only use the undoubted right of citizens to consult for their common welfare. This measure is not dictated by party or faction—it is the consequence of an unavoidable necessity. It has become so general, that the neglect shown by the general government, to obtain those who are interested therein, the navigation of that river.

In the present age, when the rights of man have been fully investigated and declared by the voice of nations, and more particularly in America, where those rights were first developed and declared, it will not be necessary to prove that the free navigation of the Mississippi, is the natural right of the inhabitants of the country watered by its streams. It cannot be believed that the beneficent God of nature would have blessed this country with unparalleled fertility, and furnished it with a number of navigable streams, and that that fertility should not convey its superabundance to other climes. Far from it; for if we examine the wide diversity of the earth as to climate and productions, lands, seas and rivers, we must discover the glorious plan of infinite beneficence to unit—by their exchange their surplus, various nations, and connect the ends of the earth in the bands of commerce and mutual good offices. From the everlasting decrees of providence, then, we derive this right; and must be criminal either to surrender it, or suffer it to be taken from us, without the most arduous struggles. But this right is ours, not only from nature, but compact. We do not mean to urge this, as if a compact could give an additional sanction to a natural right; but to show that our claim is derived from every source which can give it validity. The navigation of the Mississippi was solemnly given and confirmed by Great Britain to the citizens of the United States, by the provisional articles entered into at Paris, between the two nations. More than 11 years have since elapsed, during which we have been denied the exercise of a right, founded upon such irrefragable grounds. What has been done by the former or present government, during that period, on our behalf? In the former, we have been able to learn of no attempt to procure from the king of Spain, even an acknowledgment of our right. Repeated memorials were presented to congress upon the subject, but they were treated with a neglect bordering on contempt. They were laid upon the table, there to rest in endless oblivion. Once indeed, we know, this subject was introduced into congress, under the former government; but it was by an unwarrantable and disgraceful proposition to barter away our right. The proposition was not adopted; the attempt being rendered abortive by the spirited and patriotic opposition of a part of the union. The time at length came, when the voice of the people called for a change in the general government; and the present constitution of the United States was adopted. We then flattered ourselves that our rights would be protected; for we were taught to believe, that the former loose and weak confederation having been done away, the new government would possess the requisite energy. Memorials upon the subject were renewed—six years have passed away, and our right is not yet obtained. Money is to be taken from us by an odious and oppressive excise: but the means of procuring it by the exercise of our just right, is denied. In the mean while our brethren on the eastern waters, possess every advantage

which nature or contract can give them. Nay, we do not know that even one firm attempt to obtain it has been made. Alas! Is the energy of our government not to be exerted against our enemies? Is it all to be reserved for her citizens?

Experience, fellow-citizens, has shown us that the general government is unwilling that we should obtain the navigation of the river Mississippi. A local policy appears to have an undue weight in the councils of the union. It seems to be the object of that policy to prevent the population of this country; to prevent the draw from the eastern states their industrious citizens. This conclusion inevitably follows from a consideration of the measures taken to prevent the purchase and settlement of the lands bordering on the Mississippi. Among those measures, the unconstitutional interference which rescinded sales, by one of the states to private individuals, makes a striking object. And, perhaps the fear of a successful rivalship in every article of their exports may have its weight. But if they are not unwilling to do us justice, they are at least regardless of our rights and welfare. We have found prayers and supplications of no avail, and should we continue to load the table of congress with memorials, from a part only of the western country; it is too probable they would meet with a fate similar to those which have been formerly presented. Let us then, all unite our endeavors in the common cause. Let all join, in a firm and manly remonstrance, to the president and congress of the United States, stating our just and undoubted right to the navigation of the Mississippi, remonstrating against the conduct of government with regard to that right, which must have been occasioned by local policy, or neglect, and demanding of them speedy and effectual exertions for its attainment. We cannot doubt, that you will cordially and unanimously join in this measure. It can hardly be necessary to remind you, that considerable quantities of beef, pork, flour, hemp, tobacco, &c. the produce of this country, remain on hand for want of purchasers, or are sold at inadequate prices. Much greater quantities might be raised if the inhabitants were encouraged by the certain sale, which the free navigation of the Mississippi would afford. An additional increase of those articles, and a greater variety of produce and manufactures would be supplied, by means of the encouragement, which the attainment of that great object would give to emigration. But it is not only your own rights, which you are to regard. Remember that your posterity have a claim to your exertions, to obtain and secure that right. Let not your memory be stigmatized with a neglect of duty. Let not history record, that the inhabitants of this beautiful country lost a most invaluable right, and half the benefits bestowed upon it by a bountiful providence, through your neglect and apathy. Spain is engaged in a war, which requires all her force. If the present golden opportunity be suffered to pass without advantage, and she shall have concluded a peace with France, we must then contend against her undivided strength.

But, what may be the event of the proposed application, is still uncertain. We ought, therefore to be still upon our guard, and watchful to seize the first favorable opportunity to gain our object. In order to do this, our union should be as perfect and lasting as possible. We propose that societies should be formed, in convenient districts, in every part of the western country, who shall preserve a correspondence upon this and every other subject of general concern. By means of these societies we shall be enabled speedily to know what may be the result of our endeavors, to consult upon such further measures as may be necessary, to preserve union, and finally by these means to secure success.

Remember that this is a common cause, which ought to unite us, that that cause is indubitably just, that ourselves and posterity are interested, that the crisis is favorable, and that it is only by union, that the object can be achieved. The obstacles are great, and so ought to be our efforts. Adverse fortune may attend us, but it shall never dispirit us. We may for a while exhaust our wealth and strength; but until the all important object is procured we pledge ourselves to each other, that our perseverance and our firmness will be inexhaustible.

JOHN BRECKENRIDGE, Chairman.

Test, Tho. Todd, } Clks. Tho. Bodley, }

Dec. 13, 1793. (To be Continued)

Letters referred to in the thirteenth bulletin.

To her royal highness the princess of Sweden, aunt to the king, princess abess of Quedlingburg; by the way of Brunswick to Stockholm.

Quedlingburg, 15th Oct. 2 in the morning.

MADAM,

Your royal highness will have seen by the letter which my wife had the honor to address to you, to what extent the commencement of the war has been disastrous. I could add many traits to this sorrowful picture—but it is sufficient to apply to the words of Francis I.—that every thing is lost but honor; for the troops have well done their duty. As to what regards the situation of this quarter, I can only speak of mine, which is dreadful; we expect the French here every moment. Yesterday and last night the rear guard, commanded by prince de Hohenlohe, accompanied by M. de Tauenzien, had their head-quarters in the town; they

proceeded to Magdeburg, where the wreck of the army is assembling. Since the departure of the last courier, the panic and the passage of the troops and baggage, has not failed to spread the alarm. The troops and baggage arrive here helter skelter; this cuts me to the heart. This morning, in consequence of a report absolutely false; for it was said that the French would arrive in three hours, and that they had burnt several villages at Gartz, which the reporter said he had seen burnt. In spite of the authenticity which this report appeared to derive, I was not able to see the least trace of fire on rising, and at the hour stated, we saw nothing of the French troops. It is certain, however, that they followed the rear guard very closely; for the day before yesterday, in the evening, general Blucher had an engagement with the French, near Nordhausen, but he was repulsed. How much the retreat has been precipitated, and how considerable the loss of baggage has been, your royal highness will be enabled to judge, since neither prince Hohenlohe nor my brother-in-law, Tauenzien, have addressed for eight days, or changed the shirts with which I furnished them, they having lost their baggage.

The duke of Brunswick was mortally wounded by a grape shot. He has already lost both his eyes, and it is thought that he will not long survive. He passed the night before last at Ballenstedt, from thence he was carried, by the way of Neustadt and Thale, by the way of Neustadt and Thale, to Blankenburgh, from thence he was to set out yesterday on the road to Brunswick. Great God, if this prince had but bounded his desires to the making his people happy. According to what is stated by the Prussian officers of the staff, field marshal Mollendorf and the prince of Orange were at Erfurth when the capitulation took place. It is said also, that on a proposition being made for an armistice, the emperor Napoleon replied, that he would sign the peace at Dresden and Berlin.

The reflections which these events give rise to immediately present themselves—the consequences are incalculable. For my part, I feel that I am about to become the most unfortunate of men, but the hope supports me that your highness will not abandon a faithful servant.

I have written a letter to the French general, which Dube will convey to him as soon as the French shall arrive. I claim his protection for the abbey in general, and for the residence, the domain, and the house of Goetze, I demand a safeguard. DE MOTZGER.

A letter from an officer to his brother. (Also referred to, in the 13th bulletin.) Appenrode, Oct. 16, 1806.

The remains of the regiment of Aschersleben, about sixty men, have retreated to Elbingen, by the way of Wernigerode, as also the regiment of the body guard. Our army is on a sudden defeated; not only the division of the duke of Brunswick, but also that of general Ruchel. A Prussian general is accused of having betrayed the men. The king was for some days much alarmed. The French artillery has done us much damage.

Letter from a general of the king's household, to his wife. (Likewise referred to in the 13th bulletin.) Klosterteich, Oct. 17, 1806.

For five days we have had nothing to eat but bread. All the horses which remained to us, have fallen thro' fatigue. There remain only sixteen men of the queen's regiment, the regiment of carabiniers, and the regiment of Aschersleben. Prince Louis Ferdinand is dead, the prince of Hohenlohe mortally wounded, the king twice wounded, prince William of Brunswick, and the duke of Brunswick wounded. All our baggage has been taken. We have not been paid for eighteen days. The French are still behind us. It is said that peace will be soon made. We march from hence to Magdeburg where we shall be perhaps again defeated.

NOTICE.

THE firm of Yandt & Brown being now dissolved by mutual consent, all persons having claims against it or either of the partners, are requested to hand them in for settlement—and all those indebted, are desired to make payment to either of the collectors, Mr. Cunningham and Mr. Steiger, who will call upon those in the city; or to themselves, at their late office in St. Paul's Lane, where attendance will, till further notice, be given for that purpose.

Gentlemen beyond the reach of a personal call, are earnestly desired to examine their last receipts, and to remit whatever is due, by mail or otherwise. Whatever they may forward above the amount due to us, shall be faithfully accounted for, if it be their wish, to our successors in the business.

From all our customers, we confidently look for their usual punctuality. Our open accounts are nearly 8000 in number, and on the speedy liquidation of them, will depend much of the remuneration of 12 years toil.

LEONARD YUNDT.

MATTHEW BRQWN.

December 21. d1m

Havana Sugar.

White and brown Havana Sugar, of superior quality, for sale by

THOMAS TENANT. d4t-eo4t

January 7.

J. H. McComas,

HAVING commenced business, at No. 250, Market-street, 2 doors from Howard-street, offers at reduced prices, wholesale and retail, a complete assortment of FALL and WINTER GOODS, and hopes by his endeavours to please to merit the patronage of his friends and the public.

January 6. d3t