NATIONAL INTELLIGENCER,

AND

WASHINGTON ADVERTISER.

Vol. IV. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. *No. DLV.*

Five Dolls. Per Ann. FRIDAY, APRIL 27th, 1804. *Paid in advance.*

From the Salem Register.

Reflections on the frequent imposition of Oaths in Civil Society.

While good faith reigned upon the earth, a simple promise was sufficient to ensure confidence. Oaths owe their origin to perfidy. Man was not required to call upon the God that heard him to be believed.

Magistrates, to what do your regulations tend? You either oblige the man of probity to lift up his hand and call Heaven to witness, which with him is requisition as injurious as it is useless? or you compel an oath from the mouth of a reprobate. Of what value can an oath of such a man appear to you? If the oath be contrary to his own security, it is absurd—if it be consonant with his interest, it is superfluous. Does it argue a knowledge of the human heart, to give the debtor his choice between his ruin and a falsehood? or the criminal his option between death and perjury? The man whom motives of revenge, interest, or wickedness have determined to give a false testimony—will he be deterred by the fear of committing one crime more? Is he not apprised, before he is brought up to the tribunal of justice, that this formality will be required of him. And has he not from the bottom of his heart, despised it, before he complied with it? Is it not a species of impiety to introduce the name God in our wretched disputes? Is it not a singular mode of making Heaven, as it were, an accomplice in the guilt to suffer that Heaven, to be called upon, which has never contradicted, nor will contradict the Oath? How intrepid, therefore must not the false witness become, when he has with impunity called down the Divine vengeance upon his head without the fears of being convicted. Oaths seem to be so much debased and prostituted by their frequency, that false witnesses are grown as common as robbers.

The following address, signed by a number of citizens residing in the town of Washington and its vicinity, in the Mississippi territory, has been presented to governor Claiborne.

To his Excellency William C. C. Claiborne, governor of the Mississippi territory, now exercising the powers of Governor General and Intendant of the Province of Louisiana:

The exertions of a public officer to confer happiness on the community, by dispensing equal and impartial justice, & preserving unimpaired the constitutional liberties of the people, deserves the return of grateful acknowledgments.

The citizens of Washington and its vicinity, therefore pray you to accept their undivided approbation of the firm and dignified measures, of your late administration in this territory.

If integrity of conduct, united to an enlightened mind, filled with benevolence and universal philanthropy are worthy our eulogium, all that those virtues merit we offer you as a just tribute.

We congratulate your Excellency on the unanimity and harmony with which the American government is received by our fellow citizens of Louisiana; this great and interesting event cannot fail to exhibit the fairest page in the volume of faithful history, and the high characters who so ably managed the negociation from its commencement, to the ever memorable delivery on the twentieth day of December last, will share the warmest affections of the American people.

On this auspicious occasion, we reflect with honest pride and exultation, that in discharging the highest trust and confidence reposed in your excellency, by the President of the United States, nothing has appeared repugnant to the principles of inflexible justice, mingled with humanity.

We earnestly desire the return of your excellency to the Mississippi territory: We anticipate no happy change, by which we can gain either a better friend or a more impartial governor; but should the government require your aid in another quarter, we tender you this pledge of undissembled friendship, and a sincere wish that you may ever continue to merit and obtain the confidence of your country.

Town of Washington, Feb. 27, 1804.

To the above address, the governor returned the following answer:

To the citizens of the town of Washington.

Gentlemen,

Your friendly address of the 27th ultimo, has excited in my breast emotions of gratitude and pleasure. The highest reward for public services, is a consciousness of having acted with honest intentions; the next in order is the public suffrage in their favor. Of the former, no circumstance can deprive me, and of the latter your address is a most pleasing testimonial. A testimonial the more grateful, because it comes from friends whose good opinion I highly value, from neighbors to whom every part of my conduct has been exposed, from citizens who know their rights, and would disdain to flatter the man who had betrayed them.

Your congratulations on that great and interesting *event* which has given to our country an extension of empire, & to ourselves 'new fellow citizens,' I receive with satisfaction and reciprocate with sincerity. If my agency has in the least promoted *its execution*, I shall esteem it the most fortunate occurrence of my life.

The welfare and happiness of our brethren of Louisiana are objects dear to my heart, and in the discharge of the high trust the President of the United States has temporarily committed to me, it shall be my greatest care to keep in view "the principles of inflexible justice mingled with humanity."

Accept gentlemen my warmest thanks for your kind wishes with respect to my future distination; I am uninformed whither it may call me; nor do I know that a change in the executive of your territory is contemplated. But permit me to say, in whatever situation I may be placed, I shall retain a grateful sense of your favors, the best dispositions to serve you, and an anxious solicitude for your prosperity.

Wm. C. C. CLAIBORNE.

New Orleans, March 8th, 1804.

AN ORDINANCE.

By William C. C. Claiborne, Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana.

WHEREAS a number of merchants and others have associated for the purpose of establishing a Bank of Discount and Deposit and Exchange in the city of New-Orleans, and have applied to me to sanction the same by an ordinance, to the end that the stockholders in the said bank may not individually be liable for any contracts made by the said bank, and that the said company may sue and be sued in their aggregate capacity for all debts which may be due to, or contracted by them.

And whereas it appears to me that the said institution will tend greatly to the safety and ease of transacting mercantile business, will extend the commerce, improve the agriculture and promote the prosperity of this province.

Therefore be it ordained that a bank may be established in the city of New-Orleans, the capital stock whereof shall not at present exceed six hundred thousand dollars, divided into six thousand shares of one hundred dollars each, to be paid one-fifth at the time of subscribing either in money or notes on demand at the discretion of the commissioners and the remaining four fifths by such instalments as the directors to be chosen in the manner herein after specified shall appoint, and that subscriptions shall be opened for the said shares on the sixteenth day of March instant, under the superintendance of *Evan Jones, J. P. Merieult Paul Lanusse Wm. Garland, Edward Livingston, Peter Sauve, Joseph Tricou, John Lanthois, Wm. Donaldson, Nicholas F. Girard, John M'Donnough, jun. Jerome La Chiapella, Benjamin Morgan, H. B. Trist, Michael Fortier, and Beverly Chew,* which said subscription shall continue open until the whole of the said capital stock shall be subscribed.

And be it further ordained, That all those who shall become subscribers to the said bank, their successors and assigns, shall be, and they are hereby created a body corporate and politic by the name and style of the LOUISIANA BANK, and by that name shall be made capable at all times hereafter to purchase, receive, possess and enjoy all kinds of estate whatsoever, whether real or personal, to an amount not exceeding five hundred thousand dollars over and above their capital stock, and the same to grant, sell, demise and dispose of, and to sue and be sued, plead and be impleaded in courts of record and elsewhere, and also to have and use a common seal and the same to break, alter and renew at their pleasure.

And be it further ordained, That for the well ordering the affairs of the said corporation there shall be fifteen directors to be chosen out of the stockholders on the first Monday of January in every year, who shall enter into office on the Monday then next following, and that for the period previous to the second Monday in January in the year one thousand eight hundred and five, directors for the said bank shall be chosen in manner following that is to say as soon as the sum of three hundred thousand dollars shall be subscribed. The commissioners herein before named shall appoint a time and place within the said city for proceeding to the election of fifteen directors, and shall give notice thereof in at least one of the public newspapers printed in the said city, and it shall be lawful for such election to be then and there held by the subscribing stockholders or their proxies by ballot, under the direction of the said commissioners or a majority of them, and the persons then and there chosen shall be the first directors, and shall be capable of serving by virtue of such choice until the second Monday in January next, and that the said directors shall at their first meeting elect by ballot one of their number to be President, and in like manner all directors to be hereafter chosen shall on the second Monday in January in every year elect one of their number to be their President who shall continue in office for one year, and in all cases of vacancy in the office of director either by removal from the jurisdiction of the city, death or resignation before the first Monday of January in any year, the same may be filled up by the directors. And the said directors for the time being shall have power to appoint all officers and servants under them and allow them and to the President of the said bank such compensation for their services as they may deem reasonable, and shall make rules and regulations for the transaction of business and the good government of the affairs of the said corporation. And shall twice in every year declare and pay a dividend of the profits or such proportion thereof arising on the said stock as they may deem advisable.

And be it further ordained, That the number of votes to which each stockholder shall be entitled shall be according to the number of shares he shall hold in the proportions following, that is to say—For one share and not more than four, one vote—for five shares and not more than nine, two votes—for ten shares and not more than fourteen, four votes—for fifteen shares & not more than nineteen, six votes—for twenty shares and not more than twenty-four, eight votes—for twenty-five and not more than twenty-nine, ten votes—for thirty and not more than thirty-four, twelve votes—for thirty-five and not more than thirty-nine, fourteen votes—for forty and not more than forty-four, sixteen votes—for forty-five and not more than forty-nine, eighteen votes—for fifty and not more than fifty four, twenty votes—for fifty-five and not more than fifty-nine, twenty-two votes—for sixty and not more than sixty-four, twenty four votes—for sixty-five and not more than sixty-nine, twenty six votes—for seventy and not more than seventy-four, twenty-eight votes—for seventy five and not upwards, thirty votes; and after the first election no share or shares shall confer a right to suffrage which shall not have been held three calender months previous to the day of election, and that in all elections votes may be given either in person or by proxy according to such form as the directors shall establish.

And be it further ordained, That if there should be a failure in the payment of any part of any sum subscribed for any share or shares, by any person, copartnership or body politic, the party failing shall lose and forfeit all prior payments by him or them made on such share or shares to the use of the said bank.

And be it further ordained, That for the transaction of all business of the said corporation, requiring an act of the Direction, except the making of discounts, seven directors, together with the President, or in case of his sickness or absence, some one director appointed by him, shall be a quorum, and that for the making of discounts four directors and the President, or some one appointed by him, shall be a quorum.

And be it further ordained, That in case it should at any time happen that an election of directors should not be made upon any day, when pursuant to this ordinance it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day to hold and make an election of directors in such manner as shall have been regulated by the laws and ordinances of the said corporation.

And be it further ordained, That the stock of the said Corporation shall be transferable according to such rules as shall be established by the Directors, & that the Bills and Notes which may be issued by the said corporation, signed by the President and countersigned by the Cashier, promising the payment of money to any person, his or her order, or to bearer, shall be binding and obligatory upon the Corporation though not under seal, and shall be assignable and negociable; that is to say, those which are payable to order, shall be assignable and negotiable by endorsement; and those which are payable to bearer, shall be negotiable and assignable by delivery only.

And be it further ordained, That whenever the directors shall deem it expedient, they may increase the capital stock of the said corporation to two millions of dollars, and may subscribe or cause the same or any part thereof to be subscribed in such manner and on such terms as to them may seem expedient, which increase of capital to be subscribed, shall constitute part of the capital stock of the said corporation, and shall be transferable in like manner and be liable to the same regulations which are prescribed for the shares of the said capital stock.

And be it further ordained, That the said corporation shall not directly or indirectly deal or trade in any thing except promissary notes, bonds, mortgages, bills of exchange, gold or silver bullion, or in the sale of goods, lands, stock in the public funds, or effects pledged for money lent, or in the produce of such lands.

And be it further ordained, That this ordinance shall continue in force for a period not exceeding sixteen years from the date hereof, unless the same shall be renewed, by the proper constituted authorities.

Given under my hand, and the seal of the administration, at the city of New Orleans, the 12th day of March 1804, and in the 28th year of American Independence.

Wm. C. C. CLAIBORNE,

By the governor,

Jos: BRIGGS, P. Sec. pro. tem.

THE DEY OF ALGIERS.

Extract of a letter from an officer in Lord Nelson's fleet, dated off Algiers, Jan. 18, 1804.

"On the night of the 15th, the Superb commanded by capt. Keats, anchored off Algiers, having Mr. Falcon the consul-general on board, and a letter from Lord Nelson to the Dey, demanding that Mr. Falcon should again be received as consul there, and that all the Maltese who have been lately captured by the Dey's cruisers should be liberated and given up as British subjects. On the following morning, at day break, a salute was fired from the fort, which, however, capt. Keats did not return, but sent a lieut. on shore with a letter, to request an audience of the Dey, which was accordingly granted. Capt. Keats, accompanied by Mr. Scott, chaplain to Lord Nelson, who speaks the Arabic fluently, and who acted as interpreter there, waited upon the Dey, and presented Lord Nelson's letter, with a suitable and spirited remonstrance on the occasion. Throughout the interview, which lasted nearly an hour, the Dey's conduct was very violent and outrageous, and it concluded with his positively refusing to receive either Mr. Falcon back again, or to give up any of the Maltese in his possession.

"On the 17th in the morning, our fleet of ten sail of the line came in sight of Algiers, when capt. Keats again went on shore to wait upon the Dey, who, however refused to see him, he being then busily employed on the batteries, and after waiting for nearly two hours, capt. Keats returned on board, and our fleet entering the bay, capt. Keats went on board the Victory, and communicated to Lord Nelson all that had passed with the Dey.

"Under these circumstances his Lordship did not think it adviseable to attempt further intercourse with the Dey, or to make use of any threat he was not prepared to realize, as though we could easily in a few hours have destroyed his whole fleet, which was then laying in the Mole, and have knocked down the town about their ears, we might have crippled some of our ships in such a manner as to render them unable to resume the blockade of Toulon at this season of the year, which was deemed a much more important object at the present moment. We therefore to day left Algiers, on our way to Toulon again.

"The whole squadron were more disappointed than I can possibly express, at not being permitted to humble the Dey, and extirpate for a time this nest of pirates. Two hours would have done the business completely, and I trust we shall one day make the experiment. I am perfectly convinced from my own observation, and it it was also the opinion of the ablest officers in the fleet, that four sail of the line would certainly destroy all their works, and all their navy in one morning, with very little loss—They have indeed a great number of guns mounted on their principal battery, which defends the Mole where their fleet is laid up, and it has a formidable appearance from the bay; but, it is so injudiciously constructed, that a line of battle ships can anchor upon each flank of it, within half pistol shot, where not a gun could be brought to bear upon them, and in which situation they would lay the whole works in ruins. This work is the sole defence of the town from the sea side, except an old wall without a single gun mounted upon it, and which a few broadsides would crumble into dust.

"The garrison does not amount to above four thousand soldiers (if they can be called such) who have neither discipline or courage, and who particularly dread the English; not only from our naval skill, but from an ancient prophetic tradition they have amongst them, and which they all firmly believe, "*That Algiers is to be taken and destroyed by the English on a Sunday.*" The prophecy may be easily fulfilled by us whenever we chuse, and we must shortly take some decided steps to humble the Dey, unless we are content to pay him tribute, like most of the other European powers. No Consul now can ever be sent back with honor or safety, till satisfaction is obtained for the insults we have received.

"The Dey of Algiers is entirely guided by some Jewish merchants residing at Algiers."

PROCLAMATION

OF THE BATAVIAN GOVERNMENT,

Appointing the 7th of March as a Day for Acts of Benevolence and Public Prayer.

Citizens,

As it is certain that among the nations of the earth there are but few whose existence and preservation have been marked with such signal proofs of the favour of Divine Providence as our country; so it cannot be denied but that, on the other hand, this same nation, having more than once fallen from the height of prosperity, and being threatened with approaching ruin, has learned, repeatedly, and in the most striking manner, its dependance on the All powerful Lord of the Universe. Alas! there is no occasion to go so far back as to the early annals of the Republic to prove this—we need only reflect on the events of the two last years. Scarcely had the wish of all the friends of their country, and of the human race, being gratified, by the conclusion of a peace, that put an end to a most bloody and destructive War; scarcely had the sources of our national prosperity begun to flow in their accustomed channels, so as to enable us to flatter ourselves with the hope that our ruined affairs were likely, under Divine Providence, to be re-established, when ambition and cruel jealousy rekindled the torch of war, in contempt & open violation of the treaty which had just been concluded, and with a prodigal expence of treasure and of blood. By this unhappy war, to which not only the sacred faith of our treaties of alliance, but even the duty of self-defence compels us, we soon saw all the sources of our misfortunes and increasing poverty again open. Our ships, richly laden with the productions of our colonies, and the treasures of our reviving commerce, were captured while they were pursuing their peaceful destination, even before any declaration of war.—Already some of our foreign possessions have fallen before the superior force of