

Hec olim meminisse juvabit.—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at \$ 5 per annum.

Constitution of New-Hampshire.

The constitution of New-Hampshire, as altered and amended by a convention of delegates held at Concord, in said state, by adjournment, on the second Wednesday of February, 1792.

PART I.—BILL OF RIGHTS.

Article I. All men are born equally free and independent; Therefore, all government, of right, originates from the people, is founded in consent, and instituted for the general good.

II. All men have certain natural, essential, and inherent rights—among which are the enjoying and defending life and liberty, acquiring, possessing, and protecting property; and, in a word, of seeking and obtaining happiness.

III. When men enter into a state of society, they surrender up some of their natural rights to that society, in order to ensure the protection of others; and without such an equivalent the surrender is void.

IV. Among the natural rights, some are in their very nature, unalienable, because no equivalent can be given or received for them. Of this kind are the rights of conscience.

V. Every individual has a natural and unalienable right to worship GOD according to the dictates of his own conscience and reason; and no person shall be hurt, molested, or restrained in his person, liberty, or estate, for worshipping God in the manner most agreeable to the dictates of his own conscience, or for his religious profession, sentiments, or persuasion; provided he doth not disturb the public peace, or disturb others in their religious worship.

VI. As morality and piety, rightly grounded on evangelical principles, will give the best and greatest security to government, and will lay, in the hearts of men, the strongest obligations to due subjection; and as the knowledge of these is most likely to be propagated through a society, by the institution of the public worship of the Deity, and of public instruction in morality and religion; therefore, to promote these important purposes, the people of this state have a right to empower, and do hereby fully empower the legislature, to authorize, from time to time, the several towns, parishes, bodies corporate, or religious societies, within this state, to make adequate provision, at their own expense, for the support and maintenance of public protestant teachers of piety, religion and morality:

Provided, notwithstanding, That the several towns, parishes, bodies corporate, or religious societies, shall at all times have the exclusive right of electing their own public teachers, and of contracting with them for their support and maintenance. And no person of any one particular religious sect or denomination, shall ever be compelled to pay towards the support of the teacher or teachers of another persuasion, sect or denomination.

But this shall not be construed to free a person from the obligations of his own contract, on his pretence of changing his religious persuasion after making the contract.

And whenever a minister is settled by any incorporated town or parish, any person dissenting, shall have liberty, either at the meeting, or previous to the ordination of the minister, or within one month after the vote obtained for his settlement, to enter his dissent with the town or parish clerk, against paying, or contributing towards the support of the said minister, and all minors who, after such settlement, shall come of age, and all inhabitants of such town or parish who are absent from the same at the time of such meeting or settlement, and all persons who, after such settlement, move into such town or parish to reside, shall have three months from the time of their coming of full age, returning into town, or moving into, reside as aforesaid, respectively, to enter their dissent, with the town or parish clerk, as aforesaid.

And all persons who do not enter their dissent, as aforesaid, shall be bound by the major vote of such town or parish, and it shall be considered as their voluntary contract; but all persons who enter their dissent, as aforesaid, shall not be bound by the vote of such town or parish, or considered a party to such contract, or in any way be compelled to contribute towards the support of the minister; nor shall any person be compelled to contribute towards the support of the minister, who shall change from the sect or denomination of which he professes to be when he settled, to any other persuasion, sect or denomination.

And every denomination of christians, demeaning themselves quietly, and as good citizens of the state, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another, shall ever be established by law.

And nothing herein shall be understood to affect any former contracts made for the support of the ministry; but all such contracts shall remain, and be in the same state as if this constitution had not been made.

VII. The people of this state have the sole and exclusive right of governing themselves, as a free, sovereign and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by their expressly delegated to the United States of America in congress assembled.

VIII. All power residing originally in, and being derived from the people, all the magistrates and officers of government, are their substitutes and agents, and at all times accountable to them.

IX. No office or place whatsoever, in government, shall be hereditary—the abilities and integrity requisite in all, not being transmissible to posterity or relations.

X. Government being instituted for the common benefit, protection and security of the whole community, and not for the private interest or emolument of any one man, family, or class of men: therefore, whenever the ends of government are perverted, or public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to, reform the old, or establish a new government. The doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

XI. All elections ought to be free, and every inhabitant of the state, having the proper qualifications has an equal right to elect, and be elected, into office.

XII. Every member of the community has a right to be protected by it in the enjoyment of his life, liberty and property; he is therefore bound to contribute his share to the expense of such protection, and to yield his personal service when necessary, or an equivalent. But no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. Nor are the inhabitants of this state controllable by any other laws than those to which they, or their representative body have given their consent.

XIII. No person who is conscientiously scrupulous about the lawfulness of bearing arms, shall be compelled thereto, provided he will pay an equivalent.

XIV. Every citizen of this state is entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property, or character; to obtain right and justice freely, without being obliged to purchase it; completely, and without denial; promptly, and without delay, conformable to the laws.

XV. No person shall be held to answer for any crime, or offence, until the same is fully and plainly, substantially and formally, described to him: nor be compelled to accuse or furnish evidence, against himself. And every person shall have a right to produce all proofs that may be favorable to himself; to meet the witnesses against him, face to face; and to be fully heard in his defence by himself, and counsel. And no person shall be arrested, imprisoned, despoiled, or deprived of his property, immunities or privileges, put out of the protection of the law, exiled or deprived of his life, liberty or estate, but by the judgement of his peers, or the law of the land.

XVI. No person shall be liable to be tried after an acquittal, for the same crime or offence. Nor shall the legislature make any law that shall subject any person to a capital punishment (excepting for the government of the army and navy, and the militia in actual service) without trial by jury.

XVII. In criminal prosecutions the trial of facts, in the vicinity where they happen, is so essential to the security of the life, liberty and estate of the citizens, that no crime or offence ought to be tried in any other county than that in which it is committed, except in cases of general insurrection in any particular county, when it shall appear to the judges of the superior courts that an impartial trial cannot be had in the county where the offence may be committed, and upon their report the legislature shall think proper to direct the trial in the nearest county in which an impartial trial can be obtained.

XVIII. All penalties ought to be proportioned to the nature of the offence. No wise legislature will affix the same punishment to the crimes of theft, forgery and the like, which they do to those of murder and treason. Where the same unmitigated severity is exerted against all offences, the people are led to forget the real distinction in the crimes themselves, and to commit the most flagrant with as little compunction as they do the lightest offences. For the same reason, a multitude of sanguinary laws is both impolitic and unjust. The true design of all punishments being to reform, not to exterminate, mankind.

XIX. Every person hath a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions. Therefore, all warrants to search suspected places, or arrest a person for examination or trial, in prosecutions for criminal matters, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order in a warrant of a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest or seizure; and no warrant ought to be issued, but in cases and with the formalities prescribed by law.

XX. In all controversies concerning property, and in all suits between two or more persons, excepting in cases wherein it hath been heretofore otherwise used and practiced, the party have a right to a trial by jury; and this right shall be deemed sacred and inviolable; but the legislature may, by the constitution, be empowered

to make such regulations as will prevent parties from having as many trials by jury, in the same suit or action, as hath been heretofore allowed and practised, and to extend the civil jurisdiction of justices of the peace to the trials of suits where the sum demanded in damages doth not exceed four pounds, saving the right of appeal to either party. But no such regulations shall take away the right of trial by jury, in any case not in this article before excepted, unless in cases respecting married women's wages.

XXII. In order to reap the fullest advantage of the inestimable privilege of the trial by jury, great care ought to be taken that none but qualified persons should be appointed to serve; and such ought to be fully compensated for their travel, time and attendance.

XXIII. The Liberty of the press is essential to the security of freedom in a state: It ought, therefore, to be inviolably preserved.

XXIV. Retrospective laws are highly injurious, oppressive and unjust. No such laws, therefore, should be made, either for the decision of civil causes, or the punishment of offences.

XXV. A well regulated militia is the proper, natural, and sure defence of a state.

XXVI. Standing armies are dangerous to liberty, and ought not to be raised, or kept up, without the consent of the legislature.

XXVII. In all cases, and at all times, the military ought to be under strict subordination to, and governed by the civil power.

XXVIII. No soldier, in time of peace, shall be quartered in any house, without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

XXIX. No subsidy, charge, tax, impost, or duty, shall be established, fixed, laid or levied, under any pretext whatsoever, without the consent of the people, or their representatives in the legislature, or authority, derived from that body.

XXX. The power of suspending the laws, or the execution of them, ought never to be exercised but by the legislature, or by authority derived therefrom, to be exercised in such particular cases only as the legislature shall expressly provide for.

XXXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any action, complaint, or prosecution in any other court or place whatsoever.

XXXII. The legislature shall assemble for the redress of public grievances, and for making such laws as the public good may require.

XXXIII. The people have a right, in an orderly and peaceable manner, to assemble and consult upon the public good, give instructions to their representatives, and to request of the legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer.

XXXIV. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

XXXV. No person can in any case be subjected to law martial, or to any pains or penalties by virtue of that law, except those employed in the army, or navy, and except the militia in actual service, but by authority of the legislature.

XXXVI. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws and administration of justice. It is the right of every citizen to be tried by judges as impartial as the lot of humanity will admit. It is therefore not only the best policy, but for the security of the rights of the people, that the judges of the supreme judicial court should hold their offices so long as they behave well; subject, however, to such limitations, on account of age, as may be provided by the constitution of the state; and that they should have honorable salaries, ascertained and established by standing laws.

XXXVII. Economy brings a most essential virtue, in all states, especially in a young one; no pension shall be granted but in consideration of actual services; and such pensions ought to be granted with great caution by the legislature, and never for more than one year at a time.

XXXVIII. In the government of this state, the three essential powers thereof, to wit, the legislative, executive and judicial, ought to be kept as separate from, and independent of, each other, as the nature of a free government will admit, or as is consistent with that chain of connexion that binds the whole fabric of the constitution in one indissoluble bond of unity and amity.

XXXIX. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to justice, moderation, temperance, industry, integrity, and all the social virtues, are indispensably necessary to preserve the blessings of liberty and good government; the people ought, therefore, to have a particular regard to all those principles in the choice of their officers and representatives: And they have a right to require of their law-givers and magistrates an exact and constant observance of them in the formation and execution of the laws necessary for the good administration of the government.

PART II.—FORM OF GOVERNMENT.

THE people inhabiting the territory formerly called the province of New-Hampshire, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign and independent body politic, or state, by the name of the *State of New-Hampshire*.

GENERAL COURT.

THE supreme legislative power, within this state, shall be vested in the senate and house of representatives, each of which shall have a negative on the other.

The Senate and House shall assemble every year on the last Wednesday of October, and in such other times as they may judge necessary; and shall dissolve, and be dissolved, seven

days next preceding the said last Wednesday of October; and shall be styled, *The General Court of New-Hampshire*.

The general court shall forever have full power and authority to erect and constitute judiciaries and courts of record, or other courts, to be holden in the name of the state or the king, trying and determining all manner of crimes, offences, pleas, processes, plaints, actions, causes, matters, and things whatsoever, arising or happening within this state, or between or concerning persons inhabiting or residing, or brought within the same, whether the same be criminal or civil, or whether the crimes be capital or not capital, and whether the said pleas be real, personal or mixed;—and for awarding and issuing execution thereon. To which courts and judiciaries, are hereby given and granted, full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy, or depending before them.

And further, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain and establish, in all manner of wholesome and reasonable actions, laws, statutes, ordinances, directions and instructions, either with penalties or without, so as the same be not repugnant or contrary to this constitution, as they may judge for the benefit and welfare of this state, and for the governing and ordering thereof, and of the citizens of the same, for the necessary support and defence of the government thereof; and to make and settle annually, or provide by fixed laws for the naming and settling all civil officers within this state; such officers excepted, the election and appointment of whom are heretofore in this form of government otherwise provided for; and to set forth the several duties, powers, and limits of the several civil and military officers of this state, and the forms of such oaths or affirmations as shall be respectively administered unto them, for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and also to impose fines, mulcts, imprisonments, and other punishments; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said state, and upon all estates within the same; to be issued and disposed of by warrant, under the hand of the governor of this state for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of this state, and the protection and preservation of the citizens thereof, according to such acts as are, or shall be, in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates in the manner that has been heretofore practised; in order that such assessments may be made with equality, there shall be a valuation of the estates within the state, taken anew once in every five years at least, and as much oftener as the general court shall order.

No member of the general court shall take fees, be of counsel or act as advocate, in any cause before either branch of the legislature; and upon the proof thereof, such member shall forfeit his seat in the legislature.

The doors of the galleries of each house of the legislature shall be kept open to all persons who behave decently, except when the welfare of the state, in the opinion of either branch, shall require secrecy.

SENATE.

THE Senate shall consist of thirteen members, who shall hold their offices for one year, from the last Wednesday of October next ensuing their election.

And that the state may be equally represented in the senate, the legislature shall, from time to time, divide the state into thirteen districts, as nearly equal as may be without dividing towns and unincorporated places; and in making this division, they shall govern themselves by the proportion of public taxes paid by the said districts, and timely make known to the inhabitants of the state the limits of each district.

The freeholders and other inhabitants of each district, qualified as in this constitution is provided, shall annually give in their votes for a senator, at some meeting holden in the month of March.

The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz: Every male inhabitant of each town and parish with town privileges, and places unincorporated, in this state, of twenty-one years of age and upwards, (excepting paupers and persons excused from paying taxes at their own request, shall have a right, at the annual or other meetings of the inhabitants of said towns and parishes, to be duly warned and holden annually forever in the month of March, to vote in the town or parish wherein he dwells, for the senators in the county or district whereof he is a member.

Provided nevertheless, That no person shall be capable of being elected a senator, who is not seized of a freehold estate, in his own right, of the value of two hundred pounds, lying within this state, who is not of the age of thirty years, and who shall not have been an inhabitant of this state for seven years immediately preceding his election, and at the time thereof he shall be an inhabitant of the district for which he shall be chosen.

And every person, qualified as the constitution provides, shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this state, in the town, parish, and plantation, where he dwelleth and hath his home.

And the inhabitants of plantations and places unincorporated, qualified as this constitution provides, who are or shall be required to assess taxes upon themselves towards the support of government, or shall be taxed therefor, shall have the same privilege of voting for senators, in the plantations and places wherein they reside, as the inhabitants of the respective towns and parishes aforesaid have. And the meetings of such plantations and places for that purpose shall be holden annually in the month of March, at such places respectively therein as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors,

collecting and returning the votes, as the selectmen and town-clerks have in their several towns by this constitution.

The meetings for the choice of governor, council and senators, shall be warned by warrant, from the selectmen, and governed by a moderator, who shall, in the presence of the selectmen, (whose duty it shall be to attend) in open meeting, receive the votes of all the inhabitants of such towns and parishes present, and qualified to vote for senators; and shall, in said meetings, in presence of the said selectmen and of the town-clerk, in said meeting, sort and count the said votes, and make a public declaration thereof, with the name of every person voted for, and the number of votes for each person; and the town-clerk shall make a fair record of the same at large, in the town-book, and shall make out a fair attested copy thereof, to be by him sealed up, and directed to the secretary of the state, with a superscription expressing the purport thereof; and the said town-clerk shall cause such attested copy to be delivered to the sheriff of the county in which such town or parish shall lie, forty days at least before the last Wednesday of October; or to the secretary of the state at least thirty days before the said last Wednesday of October; and the sheriff of each county, or his deputy, shall deliver all such certificates by him received, into the secretary's office, at least thirty days before the last Wednesday of October.

And that there may be a due meeting of senators on the last Wednesday of October annually, the governor and a majority of the council, for the time being, shall, as soon as may be, examine the returned copies of such records, and fourteen days before the said last Wednesday of October, he shall issue his summons to such persons as appear to be chosen senators by a majority of votes, to attend and take their seats on that day.

Provided nevertheless, That for the first year the said returned copies shall be examined by the president, and a majority of the council then in office: And the said president shall, in like manner, notify the persons elected, to attend and take their seats accordingly.

And in case there shall not appear to be a senator elected by a majority of votes, for any district, the deficiency shall be supplied in the following manner, viz. The members of the house of representatives, and such senators as shall be declared elected, shall take the names of the two persons having the highest number of votes in the district, and out of them shall elect, by joint ballot, the senator wanted for such district; and in this manner all such vacancies shall be filled up in every district of the state; and in like manner, all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be after such vacancies happen.

The senate shall be final judges of the elections, returns, and qualifications of their own members, as pointed out in this constitution.

The senate shall have power to adjourn themselves, provided such adjournment do not exceed two days at a time.

Provided nevertheless, That whenever they shall sit on the trial of any impeachment, they may adjourn to such time and place as they may think proper, although the legislature be not assembled on such day, or at such place.

The senate shall appoint their president and other officers, and determine their own rules of proceedings: and not less than seven members of the senate shall make a quorum for doing business; and when less than eight senators shall be present, the assent of five at least shall be necessary to render their acts and proceedings valid.

The senate shall be a court, with full power and authority to hear, try, and determine all impeachments made by the house of representatives against any officer or officers of the state, for bribery, corruption, mal-practice or mal-administration in office;—with full power to issue summons or compulsory process, for conveying witnesses before them, with all necessary powers incident to a court of trials; but previous to the trial of any such impeachment, the members of the senate shall be respectively sworn truly and impartially to try and determine the charge in question, according to evidence. And every officer impeached for bribery, corruption, mal-practice, or mal-administration in office, shall be served with an attested copy of the impeachment, and order of the senate thereon, with such citation as the senate may direct, setting forth the time and place of their sitting to try the impeachment; which service shall be made by the sheriff, or such other sworn officer as the senate may appoint, at least fourteen days previous to the time of trial; and such citation being duly served and returned, the senate may proceed in hearing of the impeachment, giving the person impeached if he shall appear, full liberty of producing witnesses and proofs, and of making his defence, by himself and counsel; and may also, upon his refusing or neglecting to appear, hear the proofs in support of the impeachment, and render judgment thereon, his non-appearance notwithstanding; and such judgment shall have the same force and effect as if the person impeached had appeared and pleaded in the trial. Their judgment, however shall not extend further than removal from office, disqualification to hold or enjoy any place of honor, trust, or profit, under this state; but the party so convicted, shall nevertheless be liable to indictment, trial, judgment, and punishment, according to the laws of the land.

Whenever the governor shall be impeached, the chief justice of the supreme judicial court shall, during the trial, preside in the senate, but have no vote therein.

HOUSE OF REPRESENTATIVES.

There shall be, in the legislature of this state, a representation of the people annually elected, and founded upon principles of equality: and in order that such representation may be as equal as circumstances will admit, every town, parish or place entitled to town privileges, having one hundred and fifty rateable male polls, of twenty-one years of age and upwards, may elect one representative: if four hundred and fifty rateable male polls, may elect

two representatives; and so proceeding in that proportion, make three hundred such rateable polls the mean of increasing number for every additional representative.

Such towns, parishes or places as have less than one hundred and fifty rateable polls, shall be classed by the general assembly, for the purpose of choosing a representative, and seasonably modified thereof. And in every class formed for the above-mentioned purpose, the first annual meeting shall be held in the town, parish or place wherein most of the rateable polls reside; and afterwards in that which has the next highest number; and so on annually, by rotation, through the several towns, parishes or places, forming the district.

Whenever any town, parish or place, entitled to town privileges as aforesaid, shall not have one hundred and fifty rateable polls, and be so situated as to render the classing thereof with any other town, parish or place, very inconvenient, the general assembly may, upon application of a majority of the voters of such town, parish or place, issue a writ for their selecting and sending a representative to the general court.

The members of the house of representatives shall be chosen annually, in the month of March, and shall be the second branch of the legislature.

All persons qualified to vote in the election of senators shall be entitled to vote within the district where they dwell, in the choice of representatives. Every member of the house of representatives shall be chosen by ballot; and for two years at least, next preceding his election, shall have been an inhabitant of this state; shall have an estate within the district which he may be chosen to represent, of the value of one hundred pounds, or one half of which to be a freehold, whereof he is seized in his own right; shall be, at the time of his election, an inhabitant of the district he may be chosen to represent, and shall cease to represent such district immediately on his ceasing to be qualified as aforesaid.

The members of both houses of the legislature shall be compensated for their services out of the treasury of the state, by a law made for that purpose; such members attending seasonably, and not departing without licence. All intermediate vacancies, in the house of representatives, may be filled up from time to time, in the same manner as annual elections are made.

The house of representatives shall be the grand inquest of the state; and all impeachments made by them, shall be heard and tried by the senate.

All money-bills shall originate in the house of representatives; but the senate may propose, or concur with amendments, as on other bills.

The house of representatives shall have the power to adjourn themselves, but no longer than two days at a time.

A majority of the members of the house of representatives shall be a quorum for doing business; but when less than two-thirds of the house of representatives elected shall be present, the assent of two-thirds of those members shall be necessary to render their acts and proceedings valid.

No member of the house of representatives or senate shall be arrested or held to bail, on mean process, during his going to, return from, or attendance upon the court.

The house of representatives shall choose their own speaker, appoint their own officers, and settle the rules of proceedings in their own house; and shall be judge of the return, elections and qualifications of its members, as pointed out in this constitution. They shall have authority to punish, by imprisonment, every person who shall be guilty of disrespect to the house, in its presence, by any disorderly and contemptuous behavior, or by threatening or ill treating any of its members; or by obstructing its deliberations; every person guilty of a breach of its privileges, in making arrests for debt, or by assaulting any member during his attendance at any session; in assaulting or disturbing any one of its officers in the execution of any order or procedure of the house; in assaulting any witness or other person ordered to attend by, and during his attendance on the house, or in rescuing any person arrested by order of the house, knowing them to be such. The senate, governor and council shall have the same powers in like cases; provided that no imprisonment by either for any offence exceed ten days.

The journals of the proceedings, and all the public acts of both houses of the legislature, shall be printed and published immediately after every adjournment or prorogation; and upon motion made by any one member, the yeas and nays upon any question shall be entered in the journals; and any member of the senate or house of representatives shall have a right on motion made at the time for that purpose, to have his protest or dissent, with the reasons, against any vote, resolve, or bill passed, entered on the journals.

(To be continued.)

State of Louisiana.

GOVERNOR'S SPEECH.

Fellow citizens of the Senate, and of the House of Representatives.

I am very grateful to the people of Louisiana for the distinguished proof of confidence they have been pleased to afford me, nor am I insensible, gentlemen, of the honor conferred by your sanction of the popular sentiment in my behalf. Diffident of my talents and deeply impressed with the magnitude of the trust committed to me, I should despair of a success-

ful result, were it not for the benefit of your enlightened counsels:—Man is rarely enabled to conduct his own concerns in a manner pleasing to himself, and how much more difficult is it to manage satisfactorily the affairs of a government? As far as it regards my agency, I cannot promise myself the happiness of pursuing a course which shall command general approbation. To conciliate public sentiment, and to satisfy the wishes of all, requires a perfection in wisdom and virtue, to which I lay no claim. It will, I fear, be often my misfortune to mistake the public interest; but I shall never do it intentionally. There, notwithstanding, will be individuals, who will endeavor to magnify my errors and crime. But the repose of an approving conscience is not easily disturbed, and as in times past, so in times to come, I shall view with calmness the turbulence of political contention, and meet with composure the clamor and bitterness of opposition. With these feelings, gentlemen, and firm reliance on the justice of my country, I have entered on the duties of my office, without the smallest apprehension, other than what arises from an extreme solicitude for the general welfare.

Having witnessed the moment when the authority of the United States was first extended over this important, interesting and delightful district; having assisted for near nine years, in its progress from colonial dependence to state sovereignty, and so frequently experienced the kind indulgence of its generous inhabitants; there are no motives which can influence an ingenuous mind; no consideration of honor and gratitude, but combine to render the prosperity of Louisiana an object of my fondest affections. Receive, then, gentlemen, my warmest congratulations on the happy event, which has made her a member of the great American confederacy, and secured for ourselves and posterity the blessings of liberty, laws and safety. Always a friend to representative government, and believing it to be one best calculated to advance the happiness of society, I anticipate the most favorable results from your present deliberations. Your devotion to the public good, and your wisdom to discern it, will ensure the earliest attention to the various subjects of legislation. The consideration of the act of congress, which provides for an enlargement of the limits of this state, has justly been considered as of primary importance.—By that act a considerable tract of country, rich in natural resources, and highly improved by the hand of industry, is, with the assent of the legislature, to be added to Louisiana. This accession of population, of wealth and of strength, was earnestly desired by the convention of Orleans, and the general government, in according to it, has given a further proof of regard for the welfare of this section of the Union, which you, gentlemen, will, I am assured, highly appreciate.

The constitution of the state points to several objects of high concern, which claim your most deliberate reflection. On a wise and just arrangement of the judicial department depends the best interests of the community. The great outlines are prescribed; but the details are left for legislative provision. The judicial power "is to be vested in a supreme court with appellate jurisdiction only, and such inferior courts as the legislature may think proper to establish." Your first care should be to facilitate the approach to the tribunal of last resort, and render it accessible to the most indigent citizen. An accumulation of legal forms and ceremonies should be studiously avoided—they augment expences and become oppressive: they obstruct the streams of justice, and eventually divert their course. In organizing inferior courts, your own knowledge of the

local situation of the several counties and of the habits and sentiments of your constituents, will be your safest guide. We have seen the operation of the parish court system, and experience has made us sensible of its defects. These should be remedied. But let us not proceed with an impetuous hand, or we may mistake innovation for reform, and instead of amendment, present only a change. The "duties of the attorney-general" and "the number and duties also of the district attorneys" are to be determined by the law. These will necessarily depend upon and be adapted to your judicial arrangements. But I am persuaded, gentlemen, you will in no instance depart from the wise policy which forbids an unnecessary increase of offices.

At this eventful crisis it is highly essential that this state should be fully represented in the senate and house of representatives of the United States, and that timely provision be made for the exercise of its important suffrage, at the approaching election for a president and vice-president. To this end you will take the necessary measures, nor do I doubt but they will be such as the purest principles of patriotism shall advise.

To carry into effect the article of the constitution which secures to the citizens of New Orleans the right of appointing the officers necessary for the administration of police, pursuant to the mode of election to be prescribed by the legislature, your co-operation is necessary and ought to be speedily rendered. The interest of this great and growing city is intimately connected with that of the other states, and cannot be too affectionately cherished.

The regents of the university of Orleans will lay before you, gentlemen, an interesting view of the college of Orleans, and of the several county schools under their superintendance. You will notice with great satisfaction the progress of science, nor do I doubt your readiness to contribute, by such means as may be in your power, to its future advancement. Education gives to the mind all the perfection of which it is susceptible, and prepares our youth for the high destinies which await them. On the rising generation rests the happiness of parents and the best hopes of the state. Let our children be reared in the paths of knowledge, of virtue and patriotism, and whilst they will maintain the rights, the honor and the glory of the country, their general deportment will be such as to occasion "the grey hairs of those who watched them in their infancy to go down without regret to the grave."

Gentlemen of the House of Representatives,

The proper accounting officers will present you a statement of the receipts and expenditures for the past year. The liberal donations of the last territorial legislature to literary institutions: The remuneration accorded to sufferers during the late insurrection, and the heavy expences incurred by the convention of the territory of Orleans, made serious impressions on the public treasury. There nevertheless remains a fund equal to such exigencies, and I indulge a fond hope, that the charges incident to a state government, may all be met without resorting to further taxes. But to this end it is indispensable that punctuality in the collection of the revenue be enforced, and the most prudent economy in its expenditure observed. We are all, gentlemen, sensible of the pressure of the times, and must unite in the most economical course. The hand of industry no longer meets a liberal reward—most of the productions of the soil are perishing in our possession; and the payment of the existing imposts is becoming seriously inconvenient to many of our fellow citizens.

Gentlemen of the Senate, and of the House of Representatives,

There is yet another subject to which I am urged by the strongest considerations of duty to invite your attention. The militia, says the constitution, is to be organized in such manner as may hereafter be deemed most expedient by the legislature. It is with regret I have to observe that this force does not exhibit that arrangement, order and discipline, which can alone render it respectable. The causes may in part be found in the existing laws, which I pray you to revise and render more efficient. The contrariety of language spoken by the citizens in Louisiana; the dispersed situation of our settlements; and the inconvenience which attends the frequent assemblage of corps for exercise and inspection; present serious *obstacles*—But these should serve only as incitements to further exertion, until every improvement is given to our militia system, which existing circumstances will admit. But at this perilous crisis the safety of our country imperiously demands it. The United States are engaged in a war, to the calamities of which this section of the union is greatly exposed. We know not the moment when the enemy may menace the sanctuary of our dwellings and convert to his use the fruits of our industry. A sense of common danger should unite every heart and strengthen every arm. If ever a war was justifiable the one which our country has declared is that war. If ever a people had cause to repose with confidence in their government, we are that people.—From the days of the great Washington to the present period, the desire of our rulers has been to preserve peace with all nations, and to keep aloof from those *destructive conflicts* which are filling the world with widows and orphans. With this view the most pacific policy has been pursued—omitting nothing which justice required, and doing nothing which neutrality forbade. Remote from the scene of carnage; and indulging in no “sympathy for the belligerents, but such as invited acts of kindness to all, we had a right to expect exemption from aggression.” But in this degenerate era, innocence itself cannot arrest the hand of violence.

When the government of Great Britain first aspired to the base pre-eminence of becoming the highwayman of the ocean, our illustrious statesmen exposed the absurdity—the wickedness of her pretensions, and made repeated appeals to her justice;—but they appeared in vain.

When our unprotected commerce became a prey to rapacity, and our countrymen navigating the high seas were impressed into an ignominious service, and made to fight the battles of their oppressors, we again preferred remonstrance to resistance. But this moderation has been received as timidity, and in proportion to our forbearance have wrongs multiplied. Our laws are derided and our rights outraged—the harbors of the United States have been blockaded, and their own waters colored with American blood. Seeking redress by negotiation, the sword still rested in the scabbard, and we called it a peace. But such a peace presented no charms to an American heart—it was accompanied with dishonor, and leading fast to the ruin of our country. The day however of retribution has at length arrived.

The government which, to a long list of injuries, has added an attempt to dismember the happy Union which made these States free and independent;—the government whose agents are busily employed in exciting the ruthless savage to murder our women and children, has much to answer for. The collected wisdom of the American nation has declared the *remedy*, and a great, brave and determined people will apply it. A war exists between the United King-

doms of Great Britain and Ireland and their dependencies, and the United States of America. *War is not the greatest of evils.* A base submission to aggression, would have been a greater curse—it would have entailed dishonor, cowardice and slavery upon ourselves and our posterity. The independence of America was the fruit of eight years of toil and of danger; and, to maintain this inestimable *heritage*, the sword is again unsheathed. The wrongs of England have been long and seriously felt. They are visible in the decline of our seaport towns, in the ruin of commerce, and the languor of agriculture. The recourse to arms may increase the pressure. But let it be recollected, that whatever sacrifice we make, is offered on the altar of our country—a consideration which will reconcile a faithful people to every privation. The president of the United States calculates on every aid which it is in the power of Louisiana to give, “as well to mitigate the *evil* of war to our own citizens, as to make it effectual against the enemy.” In so reasonable a request, let not our chief be disappointed. *For years has he labored to avert the storm, and now that it rages with all its fury, let us endeavor to carry him and our country safely through it.* Union is in itself a host. It is numbers, strength, and security. Let every man put himself in armor. Age itself should be prepared to advance against an invading foe. Our young men should hasten “to the tented field,” and rendering their service to the government, be in readiness at a moment’s warning to march to the point of attack. *In such a contest, the issue cannot be doubtful. In such a cause, every American should make bare his bosom.* “When Justice is the standard, Heaven is the warrior’s shield.”

WM. C. C. CLAIBORNE.

New-Orleans, July 30, 1812

Proclamation.

By the President of the United States of America,
A PROCLAMATION.

WHEREAS information has been received that a number of individuals, who have deserted from the army of the United States, have become sensible of their offences, and are desirous of returning to their duty:

A full pardon is hereby granted and proclaimed to each, and all such individuals, as shall, within four months from the date hereof, surrender themselves to the commanding officer of any military post within the United States, or the territories thereof.

In testimony whereof, I have caused the seal of (SEAL) the United States to be affixed to these presents, and signed the same with my hand.

Done at the city of Washington, the eighth day of October, A. D. 1812, and of the Independence of the United States the thirty-seventh.

JAMES MADISON.

By the President,

JAMES MONROE,

Secretary of State.

State of New-Hampshire.

By the Governor, A PROCLAMATION for a Day of Public Thanksgiving.

It being the duty of all men, with grateful hearts, to acknowledge the superintending care and benevolent Providence of ALMIGHTY GOD, whose protection extends to all his creatures, and without whose permission not even a sparrow can fall to the ground: And considering the innumerable blessings which HE has, with parental kindness, conferred on the people of this State during the present year, and

in conformity with the laudable practice of our ancestors—

I have thought fit, by and with the advice of the council, to appoint THURSDAY, the TWELFTH day of NOVEMBER next, to be observed as day of PUBLIC THANKSGIVING through the State. And the ministers, and the people of the various religious denominations therein are requested to assemble on that day, at their usual places of worship, and with united hearts and voices offer their tribute of grateful praise and thanksgiving to the Author of all good, for the bounties of his common Providence; and in particular for the general health we have enjoyed;—that he has preserved us from the pestilence which walketh in darkness, and from contagious disease that wastes at noon-day;—that he hath caused the earth to yield her increase, and afforded a competent supply for the returning wants of man and beast;—that he hath preserved to us the inestimable blessings of a free republican government founded in principles of equity and justice, in which all its powers are derived from the people, its officers elected by them for short and limited periods, and amenable to them for their conduct in office, and in which the rulers enjoy and suffer, in common with their fellow-citizens, the good and evil effect of the laws they ordain;—that he hath preserved to us the invaluable blessing of RELIGIOUS FREEDOM, by which each individual has perfect liberty to worship in the manner and season most agreeable to the dictates of his own conscience, and not compelled to yield his property to the support of teachers who are of a different persuasion from himself;—and above all that he has revealed to us a religion, whose principles are founded in the reason and fitness of things, and its precepts form a system of the purest morality—a religion, affording to man the prospect of attaining, through faith and obedience, another and a better world—imposing no duties but those which increase man's happiness—requiring all to do to others as they would they should do to them—that rulers are bound to rule in his fear and to have the public good for their object, and the people to yield obedience to the laws and to the magistracy, because they are ordained of him to be a terror to evil doers and a praise and encouragement to those who do well.

And while we celebrate the praise of the ALMIGHTY for public and private favors, may we humble ourselves for our past transgressions, amend and reform our lives—that when his judgments are in the earth, we may by our conduct prove that we in fact learn righteousness: That as he has been pleased to permit the injustice of a foreign power to involve us in the calamity of war, he would take the United States under his divine protection, inspire our people with patriotism and love of country, our officers and soldiers with fortitude and courage, teach their hands to the war and their fingers to fight—turn the councils of our enemies into foolishness, and hedge up their ways about them—and that he would so unite the hearts of all our people, as even to make our enemies to be at peace with us.

That he would graciously be pleased to take the government of the United States, and of each individual State, under his holy protection—inspire our legislators with wisdom to enact just and useful laws, our executive officers with firmness steadily to pursue prudent measures, and the people with a spirit cheerfully to render a prompt obedience to the laws of their country.

That he would bless our agriculture, commerce and manufactures, our colleges and seminaries of learning, and render us that virtuous and happy people whom he shall delight to own and prosper.

And the people of this state, are requested to abstain, on that day, from all labor and recreation inconsistent with the duties thereof.

GIVEN at the council chamber, at Concord, this twenty-first day of September, in the year of our Lord one thousand eight hundred and twelve, and of the Independence of the United States, the thirty-seventh.

WILLIAM PLUMER.

By His Ex^{cy}'s command, with advice of council,

WM. PICKERING, *Dep. Sec^{ry}.*

Connecticut.

To the veterans who have served their country during the war of the revolution, and all those who from other causes have been exempted from military duty, the captain-general takes the liberty on this occasion, and in consequence of the act of August respecting Volunteer corps, to address himself.

The extent to which the sea-coast of this state may be exposed by the events of the war, is uncertain, and it can only be said, that prudence requires every reasonable precaution for its security, and that our means are limited.

The regular troops of the Union may be withdrawn for other objects, and we may be left for a short period to our own defence. The state militia may also be taken on pressing occasions to act within a neighboring state, and whatever may be the feelings or wishes of the general government, we may still be left to this reserved force of the state to repel invasion—but to render this force effectual it must be organized. The legislature aware of these circumstances, by an act of the late session, have authorized the raising a body of volunteers from the exempts for the defence of the state, and for suppressing insurrections. The manner in which this is to be done, will be examined by every enlightened freeman, and it is presumed, found satisfactory. It is therefore necessary for the captain-general only to remark, that this body of men is to be strictly considered as a body of state troops, who are not, (under any circumstances) to be marched out of the state—they are to be commanded by company officers of their own choosing, together with officers of a higher grade, appointed by the captain-general. They may be raised for the term of three years, or for the war, a period which it is presumed will be much shorter, and are only to be called into the field by the state authority, on sudden and pressing emergencies: but no expense is to be incurred by the state, unless the troops shall be called into service.

On this class of the citizens of our state, who have so much power to protect, and who are determined to render that protection effectual, the captain-general now calls for that measure of precaution, which the legislature have judged to be expedient, and solicits them to volunteer their services in the manner proposed for the defence of the state. No cause can be more pure and sacred, it only requires you to stand within your own state, and upon your own threshold, and with one accord to devote yourselves to the defence of your wives, your children, your old and familiar firesides, and every other object that can be justly dear to man upon earth.

Dated at Norwich, this 22nd day of September, 1812.

By order of his Excellency the capt. general.

EBENEZER HUNTINGTON,
Adjutant-General state of Connecticut,

United States' Statistical Table,

Showing the number of Representatives in Congress at four different periods, with the times at which the Constitution was ratified by the several States:

STATES.	Ratification of the constitution by the states.	Representatives			
		under the constitution.	after the first census—1790.	after the second census—1830.	after the third census—1850.
New Hampshire,	June, 1788,	3	4	5	6
Massachusetts,	February, 1788,	8	14	17	20
Rhode-Island,	—, 1790,	1	2	2	2
Connecticut,	January, 1788,	5	7	7	7
N. York,	July, 1788,	6	10	17	27
N. Jersey,	December, 1787,	4	5	6	6
Pennsylvania,	—, 1787,	8	13	18	23
Delaware,	—, 1787,	1	1	1	2
Maryland,	April, 1788,	6	8	9	9
Virginia,	June, 1788,	10	19	22	23
North Carolina,	November, 1789,	5	10	12	13
South Carolina,	May, 1788,	5	6	8	9
Georgia,	January, 1788,	3	2	4	6
<i>New States.</i>					
Vermont,	- - -	-	2	6	6
Kentucky,	- - -	-	1	3	10
Tennessee,	- - -	-	-	1	6
Ohio,	- - -	-	-	1	6
Louisiana,	- - -	-	-	-	1
		65	105	142	182

Law Case.

DISTRICT COURT OF PENNSYLVANIA.

October 2, 1812.

IN THE CASE OF SHORNER.

It was agreed, that the following case should be submitted to the district judge, for decision, as upon a writ of *Habeas Corpus*.

J. Shorner, is a minor, between nineteen and twenty years of age—he had been bound apprentice to two successive masters, but both indentures had been cancelled; and he has since worked as a journeyman, on his own account, always applying his wages to his own use, without rendering any account of them to his mother; who was still living, though his father was dead. He had no guardian. He enlisted as a soldier, in the army of the United States, without the knowledge of his mother.

The question submitted for the decision of the judge was, whether the enlistment is valid, under the 11th section of the act of congress, passed the 11th of January, 1812?

The section is in these words:

“That the commissioned officers who shall be employed in the recruiting service shall be entitled to receive for every effective able bodied man, who shall be duly enlisted by him for the term of five years, and mustered (and between the age of eighteen and forty-five years) the sum of two dollars: *Provided nevertheless*, that this regulation so far as respects the age of the recruit shall not extend to musicians or to those soldiers, who may re-enlist into the service.—*And provided also*, that no person under the age of twenty-one years, shall be enlisted by any officer, or held in the service of the United States, without consent, in writing, of his parent, guardian, or master, first had and obtained, if any he have, &c.

Mr. Dallas, as district attorney, premised, that having been requested by a respectable officer, to give an opinion, upon the present question, he had thought it best to submit it to the judge in order to fix the rule, whatever way it was established, upon the basis of judicial authority.—He admitted that in common speech, and in the English dictionaries, the word *parent* embraced both father and mother; but that it had acquired a more limited meaning in legal

contemplation; and was (as *Jacob*, in his law dictionary, states) “generally applied to the father.”—It was, therefore, important to ascertain the sense, in which congress had used the word; and for arguments, by way of illustration and analogy, Mr. Dallas considered the legal relation of father and mother to the child, independent of natural ties, at the common law, and upon positive statute, concluding, that as the act of congress deemed the age of eighteen, a competent age for entering into the contract of enlistment, the minor must establish, upon plain reason, the exception, which authorised him to annul it.

Mr. Chauncey, on the other hand, contended, that the word *parent* was used by congress, in the admitted popular sense; that the distinctions between the mother and father at common law, were founded upon feudal principles, which could not apply here; and that every inducement to subject a minor to the advice, countenance and control of his father, would apply, upon his death, with additional force, to the case of the surviving parent, or mother.

On this day the judge delivered the following:

OPINION:—

PETERS, Judge—I have resolved in my mind, the arguments of the counsel on both sides of the question submitted to my decision, as stated in the foregoing case. It does not seem to me to be necessary to discuss the common law points adduced to shew, that the mother is not in such degree of consanguinity or relationship to, or so vested by the common law with the control over, the son, in his nonage, and after the period of nurture, as to render her consent necessary to the binding force of engagements, or to exercise authority over his actions. Those points are grounded very much in principles of feudal institutions; which, favoring and protecting the claims of primogeniture, distinguish between the rights and duties even of a father, in regard to his eldest son, and apparent heir, of that son towards him; and those as they respect the younger children. The greatest part of those principles are inapplicable in this country, though it is our habit to regard them; and are, in many instances, opposed to the principles both of reason and nature; as the latter are felt and practised upon here. *Women*, in ages in this regard barbarous, were treated as mere breeders, and nurses; held in slavish subjection and denied the proper and necessary authority over their offspring.

In the act of congress relative to *naval* enlistments, the words are dissimilar on that subject, from those in the act relating to similar engagements in the land service. The words which have been the subject of discussion are:—“Provided always that no person under the age of 21 years shall be enlisted by any officer, or held in the service of the United States, without the *consent in writing* of his parent, guardian, or master, first had and obtained, if any he have?”

Now whatever rights or disabilities an infant may or may not have, or be subjected to; or whatever may be the relationship or power of a *mother* at common, or civil, law, I cannot conceive that she is not described in this act of congress so distinctly by the term “parent,” that it would not be a violation of all rational construction to say, that she must be excluded from this *statutory regulation*. If the inconvenience to the service is found so important as it has been stated to be by the counsel who advocates the legality of the enlistment, let congress model the regulations in future, so as to exclude the *mother*, by declaring that by the term “parent,” only the *father* is meant to have the authority in any case where there is no other guardian or master. And, of course it will then follow, that when a youth has neither fa-

ther, other guardian or master, though he may as in this case, have a "parent" remaining, i. e. his mother, he must be left to his own will, without control over any of his actions; and without a friendly monitor to check his indiscretions, or cherish and invite his return to prudence and safety.

Whether the enlistment, in this case, be or not discreet and proper, I will not undertake to determine. But it appears to me, that the only remaining "parent" of this young man, who has neither "guardian" nor "master," has a right—by the terms of the law, and, let me add, by the feelings and affections of a mother—to pass an opinion, and to use a discretion, on the subject. Whether she will, or will not, exercise this right *wisely*, must be left to herself, and those who will advise her for the best. General principles cannot be warped to suit a particular case.

It is a cold and cheerless submission to, and unnecessary extension of the rude and rigorous principles of black letter jurisprudence; to say, that because the mother, is not entitled to, and cannot sue for amends for, loss of service of the son, (yet by the law of Pennsylvania he is obliged to assist in her support) she may not interfere in what regards his *welfare and happiness*. If we take lord Coke's advice, and place ourselves in the situation of the legislators, when they passed the proviso in question; I think we may safely conclude, that few of them knew, and none thought of, the learned lore which the books contain on the subject of paternal guardianship and power over the son and his affairs; or maternal disabilities and exclusion from such concerns. No doubt, if the father were living, the mother would not be the "parent" whose "consent in writing" would be required. But, in this, when he is dead, a "parent" is still left to satisfy the words of the law—"if any he have."

In the light in which I view the law, and the case, I cannot but consider the enlistment invalid.

Revolution in Mexico.

The following proclamation of Col. Bernardo, "To the Republican volunteers at Nacogdochez," is copied from a Natchez paper. It is interesting as affording information of the progress of the patriots, whose success we most heartily desire.

*Fellow soldiers and volunteers
in the Mexican cause.*

I desire you to receive from me the tribute of my private feelings, and also as the agent of my Mexican brethren, my warmest and most sincere thanks for the activity, zeal, promptitude and courage that you have shewn in the obedience of those orders which you have received from your officers, acting under my command; and I flatter myself with the idea that the line of conduct which you have hitherto observed will be continued in, to the *discomfiture of tyrants*, to the *emancipation of the Mexicans*, and to the complete success of the enterprise you have undertaken, which will crown your exertions with glory, honor and fortune. The consolation of the justice of the cause which you support—of the fame and immortality which awaits your success—the idea that all the civilized nations of the world look on your actions with admiration and good will—the reflection that the future happiness or misery of a large portion of the habitable globe is now in your hands, will, I am certain prompt you on, and shew your enemies and the enemies of liberty, in every part of the world, that the spark which lighted the flame of independence in the northern part of America is not extinct in the bosoms of the descendants of those who fought, bled, and prevailed over tyrants; and will

at the same time establish, beyond a possibility of doubt, your individual right to that liberty, for the attainment of which for others, you have volunteered your lives, your property, and sacrificed all your social connections.

You are now, fellow-soldiers, in peaceable possession of one of the out-posts established by European tyranny, the more effectually to enslave the oppressed Mexicans. This possession has been obtained without bloodshed on your part, from the consciousness in the minds of the cowardly instruments of tyranny, that they never can prevail in arms against the brave, free, and independent citizens of the United States of America.

This pusillanimity of conduct in the engines of despotism has left in your power, in a weak and defenceless state, all the citizens of the post which you have gained. Your conduct to those citizens, has met my entire approbation. It has done honor to yourselves, as men and as soldiers; and if continued, will be more powerful than all the arms in the world—as it will conquer their minds and force them (should they ever feel a doubt) to declare that you are to them as friends, as brothers and as protectors against those who have held them enthralled for ages past, in bondage the most ignominious. From the information which I have received from different quarters, I flatter myself that your stay in this place will not be long—that your numbers will increase to a sufficient extent and enable you to seek the tyrants in their strong holds, and force them to acknowledge this long enslaved country as a free, sovereign and independent government. When this event takes place (and the time is not far distant) you are to look for the reward of your toils, dangers, sufferings and difficulties, in the enjoyment of all the rights of honored citizens of the Mexican republic, in the cultivation of those lands, which I pledge myself will be assigned to every individual among you, or in the pursuit of wealth and happiness, in such way as your inclinations may point out to you. To those who desire it, the right of working or disposing of any mines of gold, silver, or what nature soever, which you may find will be given. The right of taming and disposing of the wild horses and mules which roam unclaimed over an immense tract of country, within the limits of the Mexican republic, will be common to all of you.—The surplus of property confiscated, as belonging to those who are inimical to the republican cause after the expences of the expedition are paid, will be divided amongst you—and those powerful and almost inestimable services which you will render, will further be rewarded from the public treasury of that government which you will have so materially aided in erecting. JOSÉ BERNARDO GUTIERREZ.

[It would appear from the foregoing as if the army were chiefly composed of citizens of the United States—to prevent which the proper authority has issued a proclamation.]

The Indians.

The council with the Indian tribes on the western frontier having been concluded, the commissioners deem it their duty to give to their fellow-citizens a concise view of the proceedings and result.

The Delaware and Shawance tribes together with several of the Kickapoos, Seneca, Mingoe and Wyandots attended.

The commissioners according to their instructions, have endeavored to ascertain their views and dispositions. They informed them of the inevitable consequence of any act of hostility on their part. That

the president stood in no need of their assistance in the war with Great Britain, and that for their own sakes, he desired them to remain quiet and pursue their usual occupations. The chiefs in behalf of the tribes that attended, have made professions of friendship and attachment to the United States, have in the most positive manner declared their determination to adhere to and observe the existing treaties, to remain neutral in the present war, and to reject the overtures of the British (which they state to have been repeated and pressing,) to engage in it. They have engaged by the most solemn promise to restrain their young men from hostile acts against us, and have agreed to be responsible for their conduct, and to prohibit hostile Indians from going to their towns, and to give notice of any premeditated hostility. The commissioners presume not to judge of the sincerity of professions, especially of the professions made by savages, it being the alone prerogative of the Supreme Ruler of the universe to judge the heart, but considering that their conduct will accord with their obvious interest, and having taken every possible means to ascertain their views, have from the result of their enquiries formed the opinion that their professions are sincere, and accordingly in virtue of their instructions given the tribes who attended, assurance that no act of hostility will be committed against them by any citizen of the United States while they observe a peaceable conduct.

The commissioners were of opinion that the non-attendance at the council by any tribe after having been invited, was such evidence of an hostile disposition, as to justify the suspension of the delivery of their annuities or presents. No goods, either as annuities or presents, have been delivered except to the tribes who attended, nor has ammunition or other implements of war been given in any case.

R. J. MEIGS,
T. WORTHINGTON, } Commissioners.
JER. MORROW.

Friendly Indians.

For the information that follows we are indebted to the (N. Y.) *Ontario Repository*, said to have been received from Jasper Parish, esq. interpreter to the Six Nations, and sub-agent for Indian affairs. It comes to us with every mark of authenticity, and is corroborated by many other accounts, so that we have full reliance in all the statement.

There was lately held at Buffalo, a general council of Indians, consisting of the Six Nations, and the Stockbridge and Delaware tribes. The council was very numerous, and attended by a fuller representation of chiefs, than any that has been held for many years. The agent for Indian affairs, Mr. Granger, and the sub-agent, Mr. Parish, were both present.—On the 8th inst. The Senecas, Onondagas living near Buffalo, and the Cayugas, universally offered to take up the hatchet in favor of the United States, in the present war. The chiefs who represented, the Onondagas living eastward of this, the Oneidas, the Tuscaroras, and the Stockbridge and Delaware tribes, not feeling authorised to pledge their warriors in so important a matter, said they would go home and consult them on the subject, but expressed at the same time the most thorough conviction, that all their warriors would also tender their services to the United States. The Indians, who attended at the council, said their interests within the United States were too important to be given up, without the strongest efforts to defend them, that they had been advising and laboring with the Indians, in Canada, for six years, to induce them to remain at peace without

effect, and were extremely urgent that their services should be accepted. Those who volunteered at the council, agreed that they would go home so soon as the council fire was extinguished, arm and equip themselves for battle, and return again to Buffalo, in ten days; and as there is no doubt but the other warriors, whose chiefs are not authorised to pledge them, will adopt the same determination with their brethren, there will probably be, within a fortnight, at Buffalo, between three and four hundred Indian warriors.

It has been uniformly the wish of the government that the Indians should take no part in the war. The secretary at war, wrote a letter, which was read and explained in this very council, instructing the agent to exert himself to persuade the Indians to remain at peace; but the restless spirit of these sons of nature will not permit them to do so. The chiefs, though they are willing to do whatever they can, to further the views of the United States to whom they feel bound by strong ties, are unable to restrain their warriors. Their young men are clamorous to be employed. Under these circumstances the agent has been instructed to accept their services, to embody and organize them. It is believed, by all who are acquainted with the Indian character, that, in this state of things the inhabitants of the Niagara frontier, will find greater safety than they could in any other, while hostile armies remain in their neighborhood.—For if the earnest solicitations of the Indians, that we should accept their aid, had been denied, they would have been cool, perhaps distrustful, towards us, and during this state of things, if the British arms should obtain any advantages over ours, it is not improbable, that they might be induced to take up arms against us.

September 14, 1812.

North Western Country.

The following extract of a letter from a very intelligent gentleman in Illinois territory, dated Aug. 20, 1812, affords much general information, particularly interesting at this moment, when our attention is directed to the country it describes as the theatre of warlike operations: *Nat. Int.*

"Michilimeckinac stands on an island on the northern part of lake Michigan; on one side it is nine miles, and on the other side six miles from main land; near the fort is a considerable village of the same name, at which the merchants in this country, engaged in the Indian trade, receive their supplies of goods; it is a flourishing village, and owes its consequence entirely to Indian trade.

"Fort St. Joseph is about 17 leagues from Mackinac, on an island in the north-west part of lake Huron, and at the lower end of lake George; here is also a small village. The village of Sault St. Mary's is on the Straits of St. Mary's, twelve leagues above St. Joseph's.

"The Grand Portage is on the north-west of lake Superior; on the western extremity of which is a village, called Fond du Lac Superior; at the former place there is generally assembled annually, in the months of May and June, about 1500 or 1600 British subjects, who are engaged in the Indian trade, and continue there till fall, when they again return to their wintering grounds. At this place are deposited the furs and peltries that are collected in the north-west; while goods from Montreal are deposited at Sault St. Mary's; and the British long since have had one, and I am informed now have two vessels on lake Superior, engaged in transporting goods from the one place, and furs and peltries from the other.

"The whole of the British traders, and the major part, if not all, of our own, who have any intercourse with the Indians north of this territory, or within it, or on either side of the Mississippi, receive their supplies at Sault St. Mary's, St. Joseph's and Michilimackinac. But the trade is almost exclusively in the hands of British subjects, who have three different routes by which they transport their goods; the first is through lake Superior, and westwardly, north-westwardly, and northwardly; the second is through lake Michigan into Green Bay, thence up Fox river, down the Quisconsin, and up the Mississippi and its various branches; the third is through lake Michigan into Illinois river, and down it to its mouth. Many of those Indians may go to Malden and receive presents; but for trade their dependence is exclusively upon the places above mentioned.

"A trade which has contributed in part to the flourishing condition of Montreal; which entirely supports several intermediate villages between it and the residence of the savages; which employs such a multitude of persons, and justifies such vast expenditures as are known to be made on its account, must be of great value, and cannot fail to prove that the Indians, with whom it is carried on, are immensely numerous.

"If British subjects have influence on Indians with whom they have exclusive trade; if we have a right to suppose they would exercise that influence to our injury; and if it can be shown that the capture of Malden in itself cannot cut off their intercourse or trade with the savages from whom we have most to apprehend, then I contend, as I suggested in my former letter, that we ought not to rely on the capture of Malden for our security, and that it would produce no greater effect at the present time upon the Indians than a decisive victory on our part elsewhere.

"It is certain that only a few years ago the whole or the major part of the merchandize brought from Montreal to Michilimackinac, was brought by the way of the Ottawas (by some called the Grand) river—it is navigated with canoes, carrying each seven thousand weight. From this river they go into lake Nipissing; thence down the French river to lake Huron; whence the goods are transported in large vessels to St. Joseph's, Mackinac, or Sault St. Mary's. By this route are carried all the goods destined for Grand Portage, Nippigon, Fond du Lac, and all the wintering places on lake Superior. By this route a great quantity of goods were last year brought to St. Joseph's, whence they were smuggled into this country by merchants at St. Louis, as well as by the celebrated Dickson and others. I have received this information from authority that cannot be questioned. It is true, the route by the Ottawas is a difficult one; but it can be performed in a much shorter time than that by Detroit. And neither the capture of Malden, Fort Erie, Navy Hall, or any other British station between Montreal and Detroit, could prevent this navigation; they may lead to consequences that may eventually effect it; but prudence requires that we should not prematurely anticipate them.

"Not long since I saw a letter from some person in Detroit, published, which stated, that no goods had passed there since last September. From this, calculations were made that the Indians could not receive their supplies at St. Joseph's. But with myself, it only confirmed the information which I had previously acquired, that goods were carried to that place by the Ottawas river. And I am convinced the Indians have received all the supplies that are usually distributed to them in this season of the year. And if so, we have just cause to apprehend

present danger from them, whether the capture of Malden would or would not eventually cut off their trade with the British. If the trade and the war continue, we cannot doubt that their united influence on the Indians will produce hostile aggressions. If the trade be completely interrupted, the great body of men whom I have mentioned, as being engaged in it, must of course be thrown out of employment, and must return from necessity to Sault St. Mary's or St. Joseph's, when numbers of Indians will follow them—for if traders are prevented from going amongst those Indians, who, from habit, have become dependent on trade, as many of them as can will certainly go to the traders; and from this hopeful assemblage, we can expect nothing less than the most bloody warfare, until they are made to feel the necessity of submission.

"I have learnt that Mackinac is taken; and I think it a probable event; that this was contemplated before the declaration of war I have no doubt. On the first of May last, two Indians were apprehended at Chicago, who were on their way to meet Mr. Dickson at Green Bay; they had taken the precaution to put their letters in their mockskins, and bury them in the ground; and nothing being found on them, were permitted to proceed. A Mr. Frazier, from Prairie du Chien, who went with Dickson to the Portage of Quisconsin, and who was present when the letters were received, states that Dickson was informed by them that he might expect to see the British flag flying on the American garrison of Michilimackinac. I also discover that John Askin was concerned in the capture of that fort, which increases the probability of it, as you will perceive by recurring to my late communications, that Cadot Duce and John Askin were collecting the Indians at Fond du Lac Superior, and at Matchidas on lake Huron, for hostile purposes. Convenient to this quarter we have a greater number of Indians whom we have a right to believe hostile, than threatens any other frontier. And as they can attack us with the greatest facility, and with the prospect of doing the most injury with the least danger to themselves, we have certainly much to apprehend from them if Mackinac be actually taken. Residing as they do seven or eight hundred miles at least from Malden, there can be very little danger of their uniting with the British against general Hull's army; the difficulty of obtaining provisions on their march, and the exposed situation in which they would leave their women and children and their villages, together with the superior inducement to attack this quarter, will be decisive in preventing their going to Canada. This is not mere speculation: for I am authorised to say, from a communication I read yesterday, that the Indians about Peoria have from such apprehension positively refused to accept an invitation to join the British at Malden. From all the information I can collect, the Indians every where appear to be united. The Chippeways are very numerous, and principally reside on the south side of lake Superior, and a very large proportion of them are convenient to the head of Quisconsin river.

"There are on the river St. Peters and its branches, 1919 lodges of Sioux, as I am informed by a man of veracity who has resided thirty-one years with them: allowing three men to each lodge (a very moderate calculation) they amount to 5757. On the river des Moins, which enters the Mississippi 80 leagues above St. Louis, the Jowas and some bands of Sioux reside.

"The Sacs and Foxes who live on the Mississippi, amount to 400 at least. The Kickapoos, Miamies, Pottawattamies, Ottawas and Chippeways, of the Illinois river and its branches, amount to about 500.

There are others between lake Michigan and the Mississippi, including Polles Avoinces; of whose number I have no particular information.

“The Osages cannot amount to less than 1200.—The Shawanese and Delawares west of the Mississippi, I suppose must amount to 400. The Cherokees, Choctaws, Chickasaws, Creeks and some Cataubas, who have lately settled on White river in Missouri territory, within four or five days’ journey of St. Genevieve, I have reason to believe amount to about 1000. I do not pretend to believe that the whole of those Indians will unite at one and the same time to attack us. But this I say without fear of contradiction, that, taking them in the aggregate, we have as much reason to believe they make a part of the hostile confederacy as any other. And if they are so disposed they can with more facility commit hostilities upon the settlements of the Mississippi than upon any others.”

The Southern Frontier.

From the *Tennessee Herald* of September 5.

It has been expected for a long time that an English force would be thrown into Pensacola; it is now ascertained that black troops, under the command of British officers, have arrived from Cuba, and taken possession of that place; and are reconstructing the works for its defence.

The policy of stationing troops of that description upon our frontiers cannot be mistaken. The same band which has incited against us the scalping knife and the tomahawk of the Indians, will not stop to renew upon the Mobile and lower Mississippi the wreckage of St. Domingo.

The alarms of the people on the Mobile, are not without a foundation. On the north, and north-west six thousand Creeks and two thousand Choctaws divide them from the settled parts of the United States. On the south they are exposed to the incursion of the British and their black and Spanish allies: in their own bosom they contain a population which, if excited to insurrection, will require their whole force to keep it down.

Georgia and South Carolina cannot be supposed to be in a situation to afford them assistance; from Tennessee alone can they expect to receive aid; and Tennessee is three hundred miles from them. Remote from assistance, incapable of self protection, and surrounded by danger, this flourishing settlement is liable to become the theatre of great distresses.

No doubt can be entertained but that the troops from this state are destined by the general government to succour the settlements on the Mobile, to expel the British from West Florida, and to extend the boundaries of the republic to the gulf of Mexico. Nor will the president be disappointed in his expectation of finding in this state a force competent to the accomplishment of these objects. Forty thousand men, brave, robust and burning with impatience to emulate the fame of the young state of Ohio, present the materials from which a respectable army may be organised at the shortest notice.

There are still living among us many of those veterans whose courage triumphed over the British discipline at the battle of King’s mountain; and of the early settlers of this country hardly one can be found who has not acquired the reputation of a soldier in the wars with the Indians.

Our local position places us at a distance from the ravages of the war. The arms of the English cannot reach us; the Indians she will excite will become the victims of their perfidious policy: the first effort of Tennessee will crush the whole of these savages that dare to lift their arms against us.

Our forces will therefore be at liberty to act upon any part of the continent where the public service shall require them; and the ardor of our young men impatient to receive the signal which shall call them from an inglorious repose to the field of honor and of danger.

Events of the War.

MILITARY.

A good exchange.—It is stated that lieutenant col. Miller of the 4th regiment has been exchanged for captain Daeres.

The British are making use of every means to defend themselves in Canada, and appear determined to dispute every inch of ground. The *surrender* at Detroit has given them great spirit and energy. On the other hand, general Harrison is by this time, in all probability, in *Upper Canada*, and due efforts are made to keep the forces in *Lower Canada* in check until the proper time arrives to pay that country a visit; a period not far distant, from present appearances.

Language fails when we attempt to speak of the people of *Ohio* and *Kentucky* as they deserve. Almost every man able to carry a musket seems willing to use it in defence of his country. More persons have marched from Kentucky than were wanted, and about 1200 have returned home severely mortified; but holding themselves in readiness for some future occasion. At the call of their beloved *Harrison* great numbers of mounted riflemen have marched to join him for an excursion of 30 or 40 days, finding themselves with provisions. These corps are designed to break up and destroy the Indian tribes and lay waste their country. The deluded murderers have brought themselves to destruction—through British influence. Many private letters from the western country inform us that the late depredations of the savages have wrought the people into a fury of resentment and vengeance. They will exact a terrible guarantee for the future safety of the frontiers.

It was the original design of government that general Winchester, a very reputable gentleman and an old revolutionary officer, should have the command of the army, destined, in the first instance, for the relief of general Hull, and, since his surrender, intended to regain the ground lost, &c. In consequence of which, after his arrival at Fort Wayne, general Harrison on the 19th ult. took leave of the army in a very affectionate manner, and set out for the Indiana territory with a body of troops, to break up the settlements of the savages. But the President of the United States, seeing the confidence that the western people in general reposed in general Harrison, had appointed him commander in chief; the commission for this purpose reached him a few days after his resignation of it to general Winchester, and it appears he resumed it about the 23d of the same month at Fort Wayne, from whence a detachment of troops under general Winchester has marched to Fort Defiance, where it said a large body of *allies*, 3,000 strong, were collected. We are without particulars, but hope this report is true, believing it impossible they can escape Harrison & Winchester with their *mounted* riflemen, who amount to more than that number. Their whole force exceeds 10,000 men.

Col. Wilcox, with a regiment of Kentuckians, is at Fort Harrison, and will keep the Indians in check.

We learn from Buffalo that inspector general Smyth arrived there on the 24th ult. to take command of the United States troops at that post, about 1000 strong, besides militia and volunteers. The 14th regiment,

under col. Winder has arrived at the same place ;—several other bodies of troops are expected.

AMERICAN SPIRIT.—The aged residents of the several towns composing the 2d regiment of the third division Massachusetts militia, who are by law exempt from military duty, feeling the spirit of '75 revived at the present crisis, have assembled, formed themselves into a company, and made choice of their officers. Among other aged patriots was the venerable JOSEPH RICHARDSON, 86 years old and having the same arms and equipments that he had when he faced the forces of the British tyrant at Lexington, on the memorable nineteenth of April, 1775. With other patriots of that day he ardently hopes that the United States will strenuously contend with England till that haughty power is compelled to acknowledge our rights. The company paraded on the 28th ult. the muster day of the 2d regt. and formed in line with them. They went through the various evolutions, firings, &c. of the regiment to the great acceptance of the commander of the day. At the close of the exercise, they marched to their place of rendezvous, where they were dismissed. May this example animate every son of freedom to gird on his sword when occasion calls, and never suffer posterity to become slaves to foreign tyranny.—*Hos. Chron.*

The detachment of Pennsylvania militia ordered to rendezvous at Pittsburg on the 2nd inst. were organized on the 5th by the adjutant-general, into two regiments, brigadier-general Crooks commands them. Four regiments are at Meadville under brig. gen. Tammhill.

A body of Indians attacked a party of our troops of about 100 men at Sandusky bay, the latter end of last month. They were driven back with considerable loss—six were killed and ten wounded on our part.

Among the volunteers from the state of Kentucky, are the following members of congress and members elect :

Saml. Hopkins, major-general ; Richard M. Johnson, commanding a battalion of mounted infantry ; John Simpson, captain ; William P. Duval, captain ; Samuel M'Kee, private ; Thomas Montgomery, private.

PLATTSBURG, Oct. 2.—Col. Larned, with a part of the 5th regiment of United States infantry, arrived at this place on Friday last.

A company of heavy artillery, commanded by capt. Crooks, arrived on Sunday.

A company of light horse volunteers, from Saratoga county, arrived on Monday.

The remainder of the 7th regiment of detached militia, commanded by col. Green, marched yesterday to the northward, for Chazy or Champlain.

Two chiefs of the Cohnawaga Indians, arrived at the head-quarters of gen. Bloomfield on Tuesday last. On Wednesday, attended by col. Clark, of the 11th regiment, they proceeded on to Greenbush.—The professed object of their mission is pacific. They were with gen. Brock at the surrender of Detroit.

Gen. Louis, of the St. Regis Indians, a firm and undeviating friend of the United States, and his son, have been in this village for several weeks. The St. Regis Indians are disposed to remain neutral in the present contest ; but what effect the British influence and British success may have upon them we know not. Indians generally endeavor to keep on the strongest side—but in estimating the strength of the contending parties and their relative ability to harm them, they do not refer to our census, as a criterion by which to estimate our strength ; the most forcible argument, and the one most sure to carry conviction to their minds, is a force sufficient to win

the day ; and they repair to the standard of the victor, as a shield from danger, without looking to future consequences.

MILITIA GENERAL ORDERS.

Head-Quarters, New-Orleans, August 28, 1812.

An enemy is at the Balize, and the mouth of the Mississippi blockaded. The fort of Plaquemine is menaced, and in its present situation greatly exposed. Gen. Wilkinson of the United States' army, who descends the river to-day with a suitable relief, has requested a detachment of militia to strengthen the garrisons of this city. The commander in chief deems this auxiliary force necessary, and will furnish it with pleasure. Unwilling however, to designate the corps which shall first take up arms in defence of this section of the union, because each equally deserves the honor, and is doubtless desirous of receiving it, the commander in chief will, for the present, only express his wishes, he asks for three hundred volunteers, to do duty in the city and vicinity of New-Orleans for six months unless sooner discharged, and to enter upon service immediately. This detachment will be placed under militia officers, and will receive from the commanding general all the indulgencies which the service will admit. When a sister state, Ohio, turns out whole armies, surely Louisiana cannot hesitate to furnish detachments. In every generous breast, a love of country is the ruling passion, and the sweetest moments of life, are those we dedicate to its service. The commander in chief persuades himself that his fondest wishes will be met by the several corps on parade, and that they will to a man volunteer in defence "of their altars and fire sides." The soil where repose the ashes of our fathers and our friends, we will support against all attacks from without and from within, and with arms in our hands, we will quiet the fears of mothers, and give security to age, innocence and infancy.

Wm. C. C. CLAIBORNE,

Governor and commander in chief.

ONONDAGA VALLEY, Sept. 30.—Col. Stranahan passed through this village on Wednesday week, at the head of 600 fine volunteers, and was joined here with about 500 drafted militia from Cortlandt, Broome, and Chenango counties. On Thursday colonel Milton, from Virginia, passed here with 500 regulars. Friday, two companies of artillery passed by here, with 4 field pieces, from Baltimore, and Philadelphia. On Sunday, 1000 regulars arrived here, pitched their tents, and tarried till Tuesday morning ; when they again commenced their march in high spirits, and flying colors. Tuesday morning, a volunteer company of light-infantry passed by here from Chery-Valley : they were in complete uniform, and in high spirits—they made a very handsome appearance. The whole number of regular troops and militia that have gone through here within a week, is not far from three thousand. There were sixty men from Otsego in colonel Stranahan's regiment, who volunteered their services, that were upwards of fifty years old, "and have once seen war."

It is reported here, that fifteen hundred Indians have embodied this side of Utica ; and will march on to the frontiers in a few days, and join the American army.

Lignx.

BUFFALDE Sept. 23.—On Thursday night last, Lewis Nyles, a centinel from lieut. col. Hopkins' regiment, posted near Fields' tavern, on the Niagara river, about seventeen miles below this place, was shot dead on his post, by some person, who being hailed by the centinel, replied that he had not got the countersign but a written pass, which he would show him ; on being permitted to approach to the point of the bayonet, he drew a pistol from his bosom

and shot the centinel, and made his escape. The report of the pistol, and the cries of the centinel, gave an immediate alarm, and it was thought the person made his escape across the river to Grand-Island, as a boat was soon after heard on the river.

About 140 young warriors of the Seneca nation of Indians from Allegany river arrived in town last week and encamped near the village. More are expected from different parts. Several conferences and councils have lately been held with the chiefs. They voluntarily offered to take up arms for defensive operations. Yesterday they performed a *war dance* in the streets of this village.

NAVAL.

The frigate *President*, com. Rodgers; United States, capt. Decatur; Congress, capt. Smith and *Argus*, lieutenant, sailed from Boston on the 8th inst. on a cruise—*It is said* they are to be joined by the *Essex* and *Wasp* in a certain latitude.

A cartel has arrived at New-York from New-Province, with 60 American prisoners, where many vessels, chiefly "*new-made Spaniards*" have been carried.

The spirit for privateering powerfully increases; and as it is a most effectual measure by which the enemy may be annoyed and brought to reason, we heartily rejoice at it. We every day learn of new privateers. We have attempted to make a list of them, and hope one day to give a satisfactory account of this species of our naval force. On the 5th inst. there sailed from Salem two very stout vessels—viz. the ship *Alexander* of 20 heavy guns and 155 men and the brig *Thorn* of 18 do. and 148 men. A very fine vessel, designed for a privateer was launched at Norwich, Con. on the 7th instant; and in almost every port similar proceedings are going on. A first rate vessel, called the *Snapper* was launched at Philadelphia, a few days ago, being built in six weeks—another at New-York, &c. &c.

The privateer *Paul Jones* has returned to port after a cruise of three months, in which she is supposed to have sailed 9000 miles.

The British harvest seems pretty well over for the present. During the two weeks preceding the date of the last accounts from Halifax, not one prize arrived at that port.

Admiral Warren remained at Halifax at our last dates.

BRITISH ACCOUNT.

Extract from the log-book of an officer, who was on board his majesty's ship Guerriere, in the late action.

"His majesty's ship *Guerriere*, being on her return from a cruise, her foremast and bowsprit crippled, and most of her fore rigging gone—on the 19th August, lat. 40, 20, N. and long. 55, W. at 2 o'clock, P. M. saw a sail on her weather beam, coming down before the wind; made sail in chase. Went to quarters and cleared for action—at 4 o'clock the chase was discovered to be the United States' frigate *Constitution*, which we had formerly chased off New-York, but which had escaped, by superior sailing, from the English squadron. Hauled up the courses, took in the top-gallant-sails, backed the main-topsail, and hoisted an ensign at each mast-head. The enemy shortened sail and hauled to the wind. Filled our main-topsail. At 4h. 15m. the *Constitution* bore up and hoisted her colors at each mast-head. Fired a shot over her; and finding it to go about 1-2 a mile beyond him, gave him our starboard broadside, and wore to give him our larboard. At 4h. 20m. the enemy commenced firing, wore several times to avoid being raked, exchanging broadsides. At 5h. our opponent closed within half pistol shot on our star-

board beam, both steering free, and keeping up a heavy fire. At 5h. 20m. the mizen mast was shot away, fell over our starboard quarter, and brought the ship to the wind, against her helm, which exposed us to a heavy raking fire from the enemy, who placed himself on our larboard bow; a few only of our bow guns could be brought to bear on him:—whilst his grape shot, and riflemen in his tops, were sweeping our decks. At 5h. 40m. the ship not answering her helm, he attempted to cross our bows and lay us on board. At 5h. 55m. our bowsprit got foul of his larboard quarter. Got the boarders up to board him; but the sea running too high it was found to be impracticable. Both ships keeping up a fire with musketry, and we with the bow gun, the only one that would bear. At this time most of our men on the quarter deck and the fore-castle were picked off by his musketry. At 6h. 20m. the ship coming to, we brought some of the bow guns to bear on him, and got clear of the enemy. The fore and main mast then went over the starboard side, and completely disabled our guns. The *Constitution* immediately made sail a-head, leaving the *Guerriere* an unmanageable wreck. All hands were immediately employed in clearing the wreck in hopes of being able to get the ship before the wind to recommence the action; but just as we had completed clearing her, the spirit-sail yard went away, and left the ship in the trough of the sea, rolling her main deck guns under water. Our opponent, by this time, had refitted and wore round to rake us; and all attempts to get the ship before the wind, or to bring any of our guns to bear, proving in vain—the ship in a sinking condition—much shattered in her hull, many shot between wind and water, with one third of her crew killed and wounded, capt. Dacres called his remaining officers together—when all were of opinion, that any further resistance would be a useless expence of lives. At 5h. the jack was taken from the stump of the mizen-mast.

The *Guerriere* was a frigate of 1084 tons burthen, taken from the French in 1806, and had 302 men and boys belonging to her; but the 2d lieutenant, 2d of marines, 3 midshipmen, and 25 men, were away in prizes; there were 10 American seamen on board, who had belonged to her for some years; but as the declaration of war against Great Britain was not known when she sailed, there had been no opportunity of discharging them; and capt. Dacres considering it as unjust to compel a native of the United States to fight against his countrymen, granted them permission to quit their quarters and go below—so that we had only actually in action 244 men and 39 boys.

The *Constitution* is a frigate of upwards of 1600 tons burthen, having on board 480 men, mounting 15 long 24 pounders on each side of her gun deck, 12 carronades and a long 8 pounder on each side of her spar deck.

American Prizes.

(WEEKLY LIST—CONTINUED FROM PAGE 94.)

209. Ship *John*, 14 guns, 35 men, 400 tons burthen, from Demarara for Liverpool, laden with 742 bales cotton, 230 hhds. sugar, 105 puncheons of rum, 50 casks and 300 bags coffee, with a large quantity of old copper and dye wood, worth at least \$150,000, sent into Baltimore by the *Comet* of that port.

210. Ship *Commerce*, 14 guns, long nine, — men, from 4 to 500 tons burthen, from Demarara for London, very richly laden with sugar, rum, cotton and coffee, and as valuable as the *John*, above mentioned, sent into Portland by the *Decatur* of

Newburyport. The captain and several of the crew were killed by the first broadside from the privateer.

211. Brig *Industry*, 10 guns—from Surinam for London, with a valuable cargo of sugar, cotton, coffee, &c. sent into Wilmington, N. C. by the Comet of Baltimore. The *Comet* overhauled every vessel she chased during her cruise, and took every British vessel she saw; yet made only four prizes—but they were worth 400,000 dollars, and have all safely arrived.

212. Privateer schooner *Frances* of Nassau, N. P. 4 guns and 30 men—a fine fast sailing vessel, sent into Baltimore by the *Dolphin* of that port.

213. Privateer ———, taken by the *Rapid* of Charleston, and burnt.

214. Brig *Tor Abbey*, laden with dry fish, sent into Cape Ann by the *Thresher* privateer. A valuable vessel.

215. Brig *Mary*, from St. Johns for England, laden with timber, sent into Charleston by the *Benjamin Franklin* privateer.

216. Ship *Princess Amelia*, 8 guns, 9 pounders, 30 men, from the Leeward islands for England with the September mail, and several passengers; captured, after a very obstinate and gallant defence, by the *Rossie* of Baltimore, and sent into Savannah.—The captain of the packet and one man killed and 7 wounded; and on board the *Rossie*, the first officer and 7 men wounded. The passengers in the packet speak in the most handsome terms of the polite treatment they received from com. *Burney*.

217. Schooner ———, laden with sugar, flour, &c. an assorted cargo, sent into Portland by the *Teazer* privateer.

218. Brig ———, from Madeira for London, laden with choice wine, sent into Newburyport by the *Marengo* of New York.

219. Brig *Orient*, from Quebec for England, laden with timber, sent into Portland by the *Teazer* privateer.

British Goods.

It is a matter of much and various interest to the people at large to be informed, that a very great supply of British goods has been received in the United States, and for sale in the several cities and towns accustomed to import them. Additional ship loads are almost daily arriving, and the stock is, or probably will be, three times larger than at any former period. The vessels that have been sent into Halifax are given up, and all having *licences* are to be respected by the *British* cruisers. The goods on their arrival here are obtained by the importers, by a *judicial* proceeding, on giving bond to abide the decision of the court on the *non-importation* law. The price of these goods is considerably reduced, not only from the quantity thrown into the market, but from an expectation that the war may not last long, or that "*ways and means*" may be found to receive them, if it should continue—but they are, nevertheless, much dearer than they used to be, and will be chiefly purchased by those who cannot conveniently obtain a supply of *home-spun*, which is better and cheaper. These importations have had some effect on the price of British bills, which are now readily disposed of at only 20 per cent. under par; which shews that all the goods were not paid for, as was reported. Some persons have estimated that the *duties* on the present year's supply will amount to twenty millions of dollars; and, indeed, they will probably reach that enormous sum, let the ultimate fate of the property be what it may. Report says it will be restored to the claimants. With the bustle of imports

and exports—the receipt of *British* goods and the supply of the *British* armies with flour and grain, it is hard to believe that we are really at war.

"The Common Law."

About two years ago, a wealthy monster in the island of Nevis, compelled his slaves, about 600 in number, in addition to their day-labor, to perform night-work, when the light of the moon made it practicable. Some of the slaves manifested their repugnance to this unnatural toil; on which he took twenty of them to the market place of the little town on the island, and caused them to receive as high as 265 lashes, in the presence of several *magistrates* and *clergymen*, who refused to interfere in behalf of the mangled wretches. But the *House of Assembly*, for the sake of humanity and credit of the island, took up the case: they publicly reprobated his conduct, and adopted measures to bring him to legal punishment, for violating the laws which forbid the *excessive* labor of slaves. The matter was tried, and the planter acquitted, through the power of his money, and 'the glorious uncertainty of the law.' He threatened the General Assembly with vengeance, and instituted an action at COMMON LAW, against the editor of the *St. Christopher's Gazette*, (of which island Nevis is a dependency) for publishing the proceedings of the legislature on his case; and so popular was the prosecution, that a jury staid out of court three days—for they wished to find him guilty, though satisfied of his innocence of intention. A new trial at length took place, and the verdict was contained in these very remarkable words—"guilty of publishing a libel issued by the House of Assembly of Nevis, under a mistaken opinion that it was not a libel, and that the authority of that body justified his publishing their resolutions." The sentence was—"to be imprisoned three months and find security for his good behavior for three years." This was carrying the matter to the very extent of lord *Mansfield's* doctrine, and excited great sensibility in England. The case being reported to the prince regent, to his credit be it said, he immediately ordered a solemn investigation of the whole business, by honest and impartial men, for the punishment of the villainy from first to last—and directed that the magistrates who might have known or prevented the outrage, should be deprived of their offices in the most disgraceful manner possible.—But the printer had no redress.

Steam Engines.

Extract of a letter dated Lexington, (Kentucky,) August 20th 1811, from Mr. Luther Stephens, to Oliver Evans.

"I have got our new steam engine in motion, and it exceeds my most sanguine expectations: the power is sufficient to run four pair of five feet mill-stones; it is hardly possible that any thing could work better; I have made it on the inexhaustible principle, which works completely, and we use no more water (in the boiler) than what is decomposed and discharged in air, which is not more water in twenty-four hours than would be carried in steam in twenty minutes, without that principle; but this is mere conjecture, as I have not ascertained the quantity, but I may say with safety that all the principles are sufficiently proved, which with the simple plan of one valve completes the engine, so that it may now be pronounced in its present state, the most simple, powerful, durable and cheap, of any that is yet in use, and applicable to any purpose for which such a power may be wanted. It is so simple that any common mecha-

nic could be taught to attend it in a few days. The boilers will keep clear of scale or sediment, when worked with limestone, salt or muddy water, and less fuel will be required, not more than two cords of wood in twenty-four hours to drive four pair of five feet mill-stones, so that you may esteem the inexhaustible principle one of your greatest discoveries."

N. B. You are at liberty to publish such part of the above letter, as you may think would be useful to the public.

Extract of a letter dated Middletown, Connecticut February 27 1812, from Mr. Arthur W. Magil, superintendent for the Middletown manufacturing company to the same.

"It is nine months since we have had your improved steam engine in operation, we have been gradually loading it with machinery, and have now got all that we intend for the present at work. It is with much pleasure we make known to you our high opinion respecting it. We consider it in every respect superior to Bolton and Watts improved engine. Its simplicity is such, that a lad of common parts can take care of it with a days instruction. Very little sediment collects in the boilers, an examination of them twice a year is sufficient.—The piston requires packing once a month. The rotatory valve is an important improvement, your method of applying the steam is so obviously preferable to the English method of using it to form a vacuum, that your engines must before long be universally adopted. The steam that has done its work enables us to warm our rooms in winter, so that the risque from fire is greatly lessened. Our engine requires about three quarters of a cord of wood, to work twelve hours with our present machinery."

Extract of a letter dated Vidalia, (Opposite Natchez) April 4th 1812, from Reuben Nichols to the same.

"It is with the greatest satisfaction I take up my pen to inform you of the wonderful performance of our engine. We are driving at present three saws and mill-stones with great ease; it does not appear to me that we use one half its power; I can make it strike as many strokes as I please. I have made it strike rising seventy (double) strokes per minute, and still keep up the steam. The condensing apparatus works complete. It is viewed with admiration and astonishment by every one who sees it perform."

Extract of a letter dated Natches, March 12, 1812, to the same.

"Then you may be sure that the vessel will go as you calculate, at the rate of eleven miles per hour. I am confident of it, after what I have seen of the steam-boat that runs from this to New-Orleans."

N. B. The gentleman had seen the Engine at Vidalia working, where there is a boat building to be driven by such an engine.

The cylinders of those engines are only nine inches and a half in diameter, the stroke of the piston three feet four inches; they are capable of doing as much work of any kind to which they can be applied, as seventy-two horses.

The price of such engines warranted at present, is \$5000 paid down, but if it be warranted to work four years without repair, and to grind 20 bushels grain per hour, or saw 5000 feet of boards in 12 hours and a district be granted with it to secure against immediate competition, the price will be \$10,000, (or the same price of English engines of same power) one half of the money to be paid down, the rest on interest, \$1000 deducting repairs to be paid annually until all be paid.

This improvement is worthy the attention of those who are getting steam-engines for any purpose. The time will soon come when they will be willing to

throw aside the ponderous complex feeble and expensive engines, to adopt the use of those light, powerful, simple and less expensive improved ones as hundreds have already done, with the other inventions and improvements of the inventor, the use of which they at first rejected, while others adopted them and were saving thousands of dollars by their use. G. C.

Modern Antiquities!

The following list of privateers fitted out of the port of New-York in the year 1758, from the commencement of the then French war, is copied from Gaine's pocket almanac for the following year.

	Guns.	Men.
Ships Sturdy-Beggar, Troup	26	200
— General-Wolfe, Seymour	24	200
— General-Amherst, Kofler	20	150
— Colonel-Prevost, Caldwell	20	150
— Royal-Hunter, Harrison	20	150
— Blakeney, White (lost)	20	150
— Hercules, Miller	18	140
— King of Prussia, Donalson	18	140
— Duke of Cumberland, Lilly	16	140
— Oliver Cromwell, Nicoll	16	140
— St. George, Devereaux	16	140
— General Johnson, Little	16	140
— Tartar, Lawrence	16	140
Snows Boscawen, Rutgers	16	130
— Royal Hester, Dale	16	130
— Cicero, Smith (taken)	14	120
— Dreadnought, Taylor	14	120
— Prince Fedmand, Muzzay	14	120
— Abercrombie, Valentine	14	120
— Greyhound, Stoddard	14	120
— Revenge, Pell	14	120
— Neptune, Thompson (taken)	14	120
— Hornet, Spelling (taken)	14	120
Brigs Earl of Loudonn, Wallace	14	120
— Johnson, Horton	14	120
— True Triton, Masterton	14	120
— King George, Leaycraft	14	120
— Hawke, Harrison	14	120
— Prince of Orange, Thomas	12	110
— De Laney, Skinner	12	110
— Mary, Peil (taken)	12	110
— Hope, M'Daniel	12	110
— Charming Sally, Dwight	12	110
— Duke of Marlborough, Fenton	12	100
— George, Haley	12	100
— Prince-George, Muzzay (lost)	12	100
— New-York, Doran	12	100
— Columbine, Lane	12	100
Barque Decoy, Knights, (taken)	6	40
Schr. Sampson, Plenix	11	100
Sloops Goldfinch, Dobbs	12	100
— Squirrel, Law	12	100
— Fox, Crew	14	100
— Catherine, Sears	12	100
— Hardy, Grantham (lost)	12	100
— Prince-Edward, Hickey,	10	40
— Harlequin, Wright	10	50
— Bradstreet, Bickers, (lost)	8	40
— Tiger, M'Dougail	8	40

In all, 48 vessels, carrying 695 guns and 5,660 men.

College of Medicine.

Having been appointed a committee "to prepare a statement with regard to the condition and prospects of this institution, to the progress of the building for the accommodation of the class, to the courses of lectures to be delivered here next winter, &c."

We proceed to state, that, from the number of students who attended our college last winter, under temporary inconveniences with which we then had to contend, but which will have been entirely obviated by the commencement of our next course, from the conspicuous merit of our graduates last spring, from the zealous support of which we have been assured by physicians in various directions, from our central situation, and from other local advantages, we calculate on having a very respectable class next winter.

We are, moreover, enabled to state with confidence that the building for the accommodation of the professors and students, which is already in great forwardness, will be prepared for the reception of the class, by the 1st of November, and that the lecturing rooms will be convenient, comfortable and capable of containing from six to eight hundred persons, and that there are apartments, in the same building calculated to favor the cultivation of practical anatomy, by students.

We think it proper to remark also, that for the purpose of rendering the whole course of instruction in this institution more complete, several changes have been made in the professorships, and some additional professorships have been created and filled.

The permanent arrangement of professorships is as follows:

Of anatomy, &c. by James Cocke, M. D.

Of the practice and theory of medicine, by Nathaniel Potter, M. D.

Of chemistry, by Elisha De Butts, M. D.

Of materia medica, by Samuel Baker, M. D.

Of the institutes of medicine or principles of physick, by John B. Davidge, M. D.

Of surgery, by Wm. Gibson, M. D.

Of obstericks, including the diseases of women and children, by John B. Davidge, M. D. and Richard W. Hall, M. D.

We are happy to inform the Regents, that from the personal attention of Dr. De Butts in different parts of the United States, considerable improvements have been made in the apparatus attached to the chemical department.

The course of instruction in the College of Medicine of Maryland, will commence annually on the first Monday of November, and be concluded by the last day of February.

JAMES COCKE,

JOHN B. DAVIDGE,

WM. GIBSON.

It was resolved by the Regents, That the above statement and the two following resolutions should be published in the newspapers as extensively as possible.

Resolved, That as an expression of the estimation in which the College of Medicine of Maryland holds classical learning, and as an encouragement to medical students who may attend this institution to possess themselves of such attainments, the Regents, will give annually to the graduate who shall present the thesis best written in the Latin language, a gold medal.

Resolved, That all graduates in the arts and sciences who may take degrees in physick in this institution shall be exempt from the ordinary expence of graduation.

JAMES COCKE, M. D. Sec'y.

Baltimore, 24th August, 1812.

The Chronicle.

Henry M. Ridgely and Thomas Cooper, Esquires, have been elected representatives in the 13th congress, from the state of Delaware. They are federalists.

Messrs. Magruder and Destrehan have been elected senators of the United States by the General Assembly of Louisiana. They are republicans.

Lord Wellington entered Madrid on the 11th of August, amidst the shouts of the people. King Joseph is said to have retired to Valencia, where Suchet commands. The siege of Cadiz has probably been raised; and it appears possible that the French may be compelled to abandon Spain altogether, for the present, if the attention of Napoleon shall be drawn, with his mighty armies, to the North, much longer. Sweden has certainly allied herself with England and Russia, and was about to bring a considerable number of troops into the field.—But though the army under Marmont appears to have been completely broken up, Soult's force was entire at the last dates, and Suchet had under him from 25 to 30,000 veterans, being joined by the troops from Madrid retiring with Joseph. This force will, probably, be greatly augmented, by the corps of Marmont's army, escaping the enemy—he may form a junction with Soult, and speedily give a new face to the affairs of Spain.

Died on Saturday evening last, after a short illness, WILLIAM WOOD, Esqr. his Britannic majesty's consul for the state of Maryland.

The government of Portugal has issued a proclamation of neutrality, in the war between the United States and Great Britain, forbidding the introduction of prizes by either party, "except in cases where the laws of nations require it," which, however, shall not be sold or unladen, "or permitted to remain longer than may be necessary to avoid danger or procure innocent succors."

By an arrival from Porto Cavallo we learn that the royal patriots have the loyal traitor MIRANDA in irons. They will probably cut off his head. The royalists have seized upon all the American vessels within their reach, which were expected to be condemned as good prizes, upon what ground is not stated.

Maryland Election. We were misinformed last week on the result of the election in Anne Arundle county—four republicans were chosen. The house of delegates will therefore consist of 34 federalists and 26 republicans.

By an arrival at Boston we learn that the royalists of Montevideo had projected a counter revolution at Buenos Ayres. It was to have broken out on the 4th of July—but the plot was discovered, and 27 of the conspirators seized, and put to death. In consequence of this treachery, the republicans had declared war against the Tories, and marched 5,000 to Montevideo.

It is reported that admiral Warren has not the powers of a peace-maker, as has been attributed to him; but *it is said*, a minister will soon be sent from England for the special purpose of opening a negotiation. Energy, with union, will soon bring this event about, admitting the present rumor to be unfounded.

Mr. Alexander Contee Hanson and his associates, who defended the house in Charles street, in this city, on the night of the 27th July, indicted for manslaughter, have had their trial at Annapolis, and are acquitted. As the case involves much legal matter, a report of it shall be inserted in the Register, if obtained.

The general election was held in Pennsylvania on Tuesday last—the republicans have had their usual success, and in Philadelphia have also elected their candidates for the offices in the corporation by a majority of about 100 votes. It is probable that every representative in Congress will be republican.