land, was a violation of the duties of neutrality." That this was the sole intention of the belligerents, he proves from their conduct after the peace of Amiens. So far was the change of colonial system from being permanent, as was argued on behalf of the neutral claimants, in the last war, that orders were sent to reverse it the moment the sword was sheathed, and, on the other hand, the first advices of a new war with G. Britain were accompanied, in all the colonies, with orders to open their ports again to their former extent. He concludes the second division by asserting, that as in its motives and purposes, the whole transaction is of a hostile character, so are the effects actually produced of a kind most directly hostile and injurious;—that the illegality of this commerce, is as certain as its mischievous tendency; and to engage in it is to interpose in the war, for the purpose of rescuing the enemy from the superior naval force of G. Britain, or, in the terms of an expressive metaphor sometimes applied to it, "*hosti imminenti eripere hostem*;" and that the merchants who thus violate the duties, have no claim to the rights of neutrality.

In considering the third division of his subject, viz. "of the prudence of applying the proposed remedy in regard to the colonial trade," the author contemplates some degree of complaint and remonstrance on the part of the neutral powers. "But would they," says he, "if firmly and temperately resisted, push the controversy into a quarrel? Would they maintain their pretensions to the trade in question at the expence of a war with G. Britain? I firmly believe they would not, because I am sure they ought not, whether they regard their honor, their duty, or their interest. But it is not my purpose to recommend a total and unqualified prohibition of even the colonial trade. We might perhaps, without any very serious mischief, extend to all the ports of the French colonies, and to every neutral nation the privileges enjoyed by Americans at some of those ports in time of peace. Nay, we might perhaps allow an intercourse of the same species, and subject to similar restrictions with the colonies of Spain and Holland. If permitted to retain such a portion of the trade in question, together with all the rest of such existing commerce, as is the fair fruit of their neutrality, in every quarter of the globe, what motives could these nations find for their further and unjust pretensions by arms? To suppose that commercial interest would excite them to do so is to suppose that for the sake of a part, they would wilfully sacrifice the whole."

The remainder of this pamphlet is occupied by his suppositions on the possible evils which might result from a state of hostility with the neutral powers (an event which however he appears earnestly to deprecate) compared with the evils, under which he considers G. Britain laboring, in consequence of the present extent of the neutral trade; and this latter he does not hesitate to consider as the most alarming.

HOUSE OF REPRESENTATIVES

REPORT.

The committee, to whom was referred so much of the message of the president of the United States of the third of December, as relates to the organization and classification of the militia, and to the augmentation of the land forces.

REPORT, IN PART:

In relation to a classification and new organization of the militia. The most extensive view of this part of this subject, which has occurred to the committee, is, a division of the militia into four classes, in the following manner, viz. those between eighteen and twenty-one years of age, to compose one class; those between twenty-one and twenty-six, to compose a second class; those between twenty-six and thirty-five, to compose a third class; and those between thirty-five and forty-five, to compose the fourth class, each class to be under a separate organization, and to be commanded by separate corps of officers. To this kind of organization, as it relates to the first class, we are met by a constitutional objection. By the constitution of the United States, congress are empowered "to provide for organizing, arming and discipling the militia, reserving to the states, respectively, the appointment of the officers."

By some of the state constitutions it is provided, that the captains and subalterns of the militia shall be chosen by such of the persons who compose the respective companies, as are upwards of twenty-one years of age, so that there is no constitutional provision by which such states can appoint officers to command a class of the militia composed of minors.

Knowledge of tactics, and an acquaintance with subordination and discipline, are acquirements of such importance to our national defence that the promotion of them among the militia, ought to be a primary object with the government, and, no doubt, is exceedingly desirable in the minds of the individual citizens. But such means ought to be adopted by the government, as are best calculated to effect the object with as little fatigue and expence to individuals, as the nature of the case will admit. It is conceived, that the fatigue and expence of military discipline is, in a very great degree, proportionate to the population of the different parts of the country where the duty is performed, or, in other words, it is proportionate to the distance each individual, composing the different corps, is compelled to travel to reach his place of parade: under the present organization of the militia, this idea is fully verified; the difference in the expence of militia meetings in those parts of the country where the inhabitants are the most dispersed, when compared with similar meetings in the more populous parts, is very apparent; and, besides, the nature of the case compels us to believe, that the same cause will produce a similar disparity in military acquirements.

These, however, are evils which grow out of the nature of the case, and cannot be remedied but by the increase of population, because the principles of the organization are calculated to render the formation of the different corps as compact as is consistent with proper military arrangements.

By the organization and classification of the militia in the manner which has been named, the limits of each corps must be extended over four times the quantity of territory it now occupies, and consequently would burthen the the citizens with a proportionate additional expense in the acquisition of a competent portion of military information, or operate as a proportionate preventative to such acquisition. The subject has been viewed in another point of light, that is, to call on the two senior classes to exercise but once in a year, so as to proportion the quantum of exercise to the extension of the corps. In this case all the evils attendant on the extension of the different corps over additional territory, will attach to the junior classes, which could attach to them in the other case; and the consequent hazard of a failure in discipline will remain.

Military knowledge, like that of every other science, without practice, is soon forgotten; and although it is not probable that the whole of the militia will be needed in the field, at any one time, yet, in case of invasion, it is very possible that all who are in the vicinity of the assailants, may be necessary, and as it is uncertain at what point an enemy may make his attack, all should be prepared to meet such an event; but from a deficiency in discipline, or the want of a competent knowledge in tactics in the two senior classes only, an important opportunity for a speedy extermination of an enemy might be lost, and the lives of many valuable citizens put in jeopardy. It is therefore believed that this experiment is inadmissible.

Another view of this subject has suggested a classification of the militia, by ages, under the existing organization, for the sole purpose of designating those persons who are under twenty-six years of age, as the only proper objects of militia duty in the field, except in cases of great emergency, and in their particular vicinage. From eighteen to twenty-one years of age, is a period of life in which the young men of the United States are employed in completing an education, in pursuit of mechanical information, or in acquiring a necessary acquaintance with some other branch of business, occupation, or profession, on the improvement of which they calculate to obtain a subsistence; from twenty-one to twenty-six, they are improving their previous acquirements in their various occupations and professions, thereby laying a foundation for a decent support of themselves and families through life. This is a period also, at which the young men of the U. States generally engage in matrimony, and become chargeable with families, all which renders their time as dear to them from eighteen to twenty-six years of age, as at any other period of life.

It would seem, therefore, that an arrangement which would compel this class of our citizens to bear the principal part of the burthen of national defence, might justly be deemed a departure from that principle of distributive justice, which ought to be a paramount characteristic of the government of the United States.

That young men would better endure the fatigues of a long compaign, than those more advanced in life, is not doubted; but whether on a sudden emergency, they would be more useful in repulsing an enemy than an equal number of enrolled militia, on an average, from eighteen to forty-five, is a question of doubt; if however, it should be considered that the advantage is in favor of the young men, it is confidently believed, that the advantage in that case, to the public, would not be of sufficient magnitude to justify the government in imposing on them such an unequal burthen.

If the proposed system should be adopted the total derangement of the existing organization of the militia, must be the consequence. It may be proper here again to remark, that by the constitution of the United States is vested in the general government, the power "to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the U. States; but the same article of the constitution is express, in "reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress." By this arrangement in the constitution, the powers necessary to produce an efficient militia, are divided between the general government and the state governments. In pursuance of the power vested in the general government, on this subject, congress did, in the year 1792, pass an act to establish an uniform militia throughout the United States, which act seems to embrace all the principles in the case delegated to congress. Soon after the the passage of that law by congress, a consideration of the subject was assumed by the legislatures of all the states, and laws have been passed by all the states for carrying that system into effect, so that by the co-operation of the general government and the state governments, the militia are now completely organized and officered throughout the union. It is now thirteen years since this system has been in operation; the people practising under it have in a great degree become acquainted with it, and attached to it; and in many parts of the union military discipline is rapidly progressing under it, and it cannot with propriety be doubted, that the militia of the United States under the existing organization are amply competent to a defence against the intrusion of any invading enemy. To derange this system then, and introduce one totally new and untried, one in which it is not certain that the state legislatures will concur and which is of doubtful aspect, as it relates to the approbation of the body of the people, would, in the opinion of the committee, at this important crisis of our national affairs, be putting too much at risque.

They, therefore, recommend the following resolution.

Resolved, That it is inexpedient to adopt measures for the classification, or new organization of the militia,

Fresh Garden Seeds, &c.

THEOPHILUS HOLT respectfully informs his friends and the public that he has received from London per ship Mars to Baltimore, and for sale, a very extensive assortment of fresh Garden Seeds, garden tools, grass seeds, bird seed. Split peas and flour of mustard by the pound.

He also has for sale a variety of bulbous flower roots, fruit trees, flowering shrubs, Lombardy poplars, &c &c.

The customary allowance made to Gardeners and those who purchase to sell again.

Washington City, Dec. 13 2awtf

P. S. An assortment of the garden seeds are for sale at Dr. OTT's George Town.

On the first day of April next, or (if not fair) on the next fair day at noon, will be offered at

PUBLIC SALE

To the highest bidder, for ready money, that very desireable and well known estate formerly the property of James Wormeley, esq.

Called THE ROCKS;

Situated upon the river Shenandoah, in the county of Jefferson, Virginia. It consists of 900 acres of Land (by estimation) more than one third in woods, and has upon it a variety of the most useful improvements with a large scope of river bottom and other distinguished natural advantages. The upland is remarkably adapted to the use of plaister & very productive. It will be sold either in one body, or in the convenient divisions of the farm—the mill—the distillery—and the Ferry with a small tavern for the accommodation of travellers; to each of which a suitable quantity of Land will be attached, by a division to be made previous to the sale.

This farm of about 760 acres with plenty of wood and water, including 80 acres of the richest river bottom, and the rest of the arable Land of an excellent quality with a large and commodious dwelling, the necessary out houses, two barns &c. &c. may be had at a price which deserves the attention of any gentlemen who wishes a farm detached from the mill property, &c.

Also at the same time, on the same terms [illegible] little tract of 300 acres [illegible] of the Rocks called

THE MEADOW FARM,

about [illegible] in wood, with fine meadow ground [illegible] arable Land, well adapted to the [illegible] a good mill seat with a constant [illegible] of springs of water, and comfortable farm houses.

[illegible] little farm of only 115 acres 3 4ths still unimproved adjacent to the Meadow farm.

The object in this sale being to raise as much money as may be necessary to release the only incumbrance that exists on the above property; if the several purchasers produce the sum required, they will respectively be allowed a credit of part of the purchase money, as an inducement to them to buy as largely as they may wish to do; and no money will be required, but in exchange for a clear deed.

FERDINANDO FAIRFAX.

Charles Town, Dec 23 1805 3t—wtf

N. B. The sale will take place at the Rocks; and should any of the above land be previously disposed of by private sale, notice will be published in due time.

IRON WORKS
ON POTOMAC.

The subscriber has for Sale or Rent, a good seat for a Furnace upon the North Branch of Potomac in Hampshire county, with plenty of ore already investigated at considerable expence and found to be good, a constant and sufficient stream with upwards of 30 feet fall, and the wood of more than 9000 acres of well timbered land; enough of which is arrable to form a complete establishment. Connected with this may also be rented the forge built by Mr. John Potts at the Great Falls of Potomac, now the property of the subscriber. It is conceived that these two seats are particularly worthy of the notice of Iron Masters of capital; as they are fully adequate to the supply of iron, in its various forms, to an extensive country, having great demand for that article, both above and below the Blue Ridge. The Hampshire property is free from every incumbrance, and the payment of a very few thousand dollars due to the proprietor of the fee simple at the Great Falls (my lease of which is for upwards of 900 years at a low rent) for rents in arrears prior to my purchase, will render this property clear; and afford a complete establishment for all the various manufactures of Iron as well as for mills, with a convenient farm, &c. &c.

I have seats equally eligible (if not superior) for furnace and forge, upon the river Shenandoah in this county, with ore wood and water, all convenient and abundant: which may be rented for a long term of years, with rich farming land attached thereto.

FERDINANDO FAIRFAX.

Charles town, Jefferson Co. Virg.

November 16—wtf

WASHINGTON CITY.

WEDNESDAY, JANUARY 8.

The memorial, presented to Congress, by the merchants of New-York, on the invasion of our neutral rights, will command the deepest attention. The sentiments it announces are truly American, such as it becomes the citizens of this western world to cherish, to avow, and to rise or fall in asserting. That the unjust conduct of Britain, if persisted in, would drive the great body of the nation into the adoption of such sentiments, we have never entertained a doubt, since our mind was awakened to its injustice and enormity. But that the mercantile part of the community would stand prepared to give it a firm, temperate and decisive resistance, we have not heretofore been ready to say. The memorial from New-York, by far the first commercial depot in the union, has gone far to dissipate our doubts, and to convince us that the great national question at issue, a question intimately allied to that of national independence, will be sustained by the patriotism of all classes of our citizens; and that no suggestions of a timid or temporary policy, no degrading fears of momentary sacrifices, will thwart the adoption of measures of justice and vigor. The memorial places the British decisions in their true light, by representing them, what in truth they are, as parts of a gigantic plan to destroy the rising commerce, wealth and power of the United States. They are nothing short of *war in disguise*, of which, we trust, the American people are too wise to be the dupes, and too spirited to be the victims.

HOUSE OF REPRESENTATIVES,

MONDAY, JANUARY 6.

The Speaker laid before the House a letter received by him from David Rumsey, representing that his son, though possessed of a protection, had been impressed by the British; and that, notwithstanding his most strenuous exertions, he is unable to obtain his release. The letter is couched in unlettered, but pathetic terms, and concludes in the following manner: "I lost an estate by lending money to carry on the revolutionary war, and I suffered every thing but death, by being a prisoner among them (the British) in Canada. I lay fifteen months in close confinement, when I bore the rank of a full captain; and if this is all the liberty I have gained, to be bereaved of my children in that form, and they made slaves, I had rather be without it. I hope that Congress will take some speedy methods to relieve our poor distressed children from under their wretched hands, whose tenderest mercy is cruelty."

Referred.

Mr. *Varnum* from the committee on that part of the President's Message which relates to the organization of the militia, the augmentation of the land forces, &c. made a further report in part, *submitting a bill, authorising a detachment of the militia of the United States*; which was referred to a committee of the whole to-morrow.

The bill authorises the President of the United states *to require the Executives of the respective states to hold their quota of one hundred thousand militia in readiness to march at a moment's warning*; authorises the acceptance of volunteer corps as a part of the detachment, and appropriates dollars for the purposes of the act.

Mr. *Clinton* presented a memorial from the merchants of the city of New-York.

The memorial commences with expressing the deepest anxiety and alarm at the recent conduct of Great Britain, as invasive of neutral rights, and destructive of the just and heretofore authorised trade of the United States. The memorialists declare their most decided protest against the doctrine recently set up by British tribunals, which they pronounce to be in direct violation of an incontestible right. They repel with indignation the insinuation of fraud or chicane. They say that, in the British doctrine, they perceive that the ancient land mark is removed, but they cannot see in its room a beacon to direct their course. They view that doctrine as indicative of a system devised for the entire destruction of the colonial trade, which forms the most important branch of foreign commerce. From this unprecedented doctrine they appeal to the ancient principles which regulate the intercourse of nations. They declare that the maintenance of such a principle as Britain asserts, must in the present unparralled situation of affairs, be destructive of the commerce of the United States.

After these and other impressive preliminary remarks, the memorialists proceed to a detail of some of the most serious consequences that could not fail to result from the assertion of the British doctrine. Among these it is represented that it could not fail to disturb the whole interior relations of the citizens of the United States of every description—that it would deprive us of foreign articles that we want & compel us either to take articles that we do not want, or to suffer our surplus produce to perish on our hands—that it would probably lead to retaliating measures on the part of other nations than Great Britain, which would inevitably draw in their train the devastations of war—that it would turn capital into new channels; that it would lead to the construction that every essential article of subsistance was contraband—and that under the pretext of destroying the trade of her enemies Great Britain is about to appropriate to her own use that of her friends.

The memorialists represents the humiliating and oppresive conduct of British ships of war before the ports and harbors of the United States; repel the insinuation that the American flag is the fraudulent cover of enemies property; and declare that the portion of this commerce attached to the port of New-York is so trifling as to be altogether unworthy of notice.

The memorialists declare a firm reliance on the justice and energy of the government, and a confidence in their doing nothing which shall abandon the great rights of commerce.

Representing the defenceless state of their port, they express a hope that energetic measures will be pursued for its defence.

They state the opinion that in the present state of our naval force, it is time to cease parlying with the pirates of the West Indies.

They conclude with representing the present crisis as peculiarly serious and perilous, and as requiring the cordial co-operation of every class of citizens with the government of the United States.

The memorial is stated to have been signed by the unanimous order of the merchants assembled on the 26th of December.

On the motion of Mr. Clinton, this memorial was referred to a committee of the whole on the state of the union; & ordered to be printed.

This memorial, of which we have thus given a very imperfect sketch, is couched in terms of dignity, is animated by a bold spirit, and is replete with important information and argument. We shall, as soon as possible, offer it at full length.

Mr. Findley, from the committee of Elections, to whom was referred, the petition of John Douglass, praying the House of Representatives of the United States, to appoint a commission to set in Philadelphia, for the purpose of investigating the election of Michael Leib, returned as a member of this House from the state of Pennsylvania, that if the same be found illegal, a new election may be granted, reported, that having, according to order, had the same under consideration, they submit the following

REPORT—

A petition against the election of any person returned as a member of the House of Representatives ought to state the ground on which the election is contested, with such certainty, as to give reasonable notice thereof to the sitting member, and to enable the House to judge whether the same be verified by the proof, and if proved, whether it be sufficient to vacate the seat; and the petitioner ought not to be admitted to give evidence of any fact not substantially alledged in his petition.

In the present case, the petition contains no direct or specific charge of an illegality in the election. The only allegations are general and indirect, that is, by a history of the proceedings of certain meetings and committees of electors, and by reference to a subjoined report of one of those committees and the documents accompanying it, which documents appear to be seven exparte depositions, not admissible in evidence, and not deemed proper to be considered as parts of the petition, by being generally referred to therein.

The committee are of opinion, that on such a petition there can be no satisfactory trial of the merits of the election in question; and therefore recommend the following resolution:

Resolved, That the petitioner have leave to withdraw his petition and the papers accompanying the same.

The House immediately took the resolution into consideration, and agreed to it without debate or division.

Mr. Nicholson presented a memorial from the Board of Trustees for the education of youth in the City of Washington, stating the measures taken by the board in the establishment of an academy, and the contemplated establishment of higher institutions; and requesting Congress to aid their views by the donation of city lots, by authorising a lottery, and by such other measures as they may see fit to take.

Referred to a committee of five members.

Mr. Crowninshield observed that, at the last session, there had been a return made to the House of the American seamen impressed by British vessels, which had not been acted upon. Since that period these impressments had increased in a most astonishing degree. It was a fact that from 2,500 to 3,000 of our best seamen were detained by the British. We want, said Mr. C. the services of this useful class of men. That the attention of the House may be drawn to the subject, in order that proper measures may be taken by the government, I have drawn up the following resolution:

Resolved, That the Secretary of State be directed to lay before this House, a return of the number of American seamen who have been impressed or detained by the ships of war or privateers of Great Britain, whose names have been reported to the department of state *since* the statement was made to the House at the last session of Congress, mentioning the names of the persons impressed, with the names of the ships and vessels by which they were impressed, and the time of the impressment, together with any facts and circumstances in relation to the same, which may have been reported to him: stating also the whole number of American seamen impressed from the commencement of the present war in Europe, and including, in a separate column, the number of passengers, if any, who may have been taken out of American vessels coming to the U. S. from Europe.

Mr. Elliot said that in seconding the motion of the gentleman from Massa-