

FARMER'S REPOSITORY.

CHARLES TOWN, (Jefferson County, Virginia,) PRINTED BY RICHARD WILLIAMS.

Vol. III.]

FRIDAY, December 28, 1810.

[No. 144.]

FOR RENT, THE GLOBE TAVERN, In Shepherd's-Town.

I WILL give immediate possession of the house now occupied by me, to any person who will purchase the stock on hand, together with a part of the furniture, and will conduct the same as a tavern. Application to be made to

JAMES BROWN.
December 14, 1810.

Ten Dollars Reward.

RAN AWAY, an apprentice boy named Samuel Moreland, a shoemaker by trade—he is between 15 and 16 years of age, about 4 feet 9 or 10 inches high.—Had on when he went away a blue doublet, swansdown vest, drab pantaloons, wool hat, shoes, &c. Any person apprehending the said apprentice, and lodging him in jail, or returning him to the subscriber, shall have the above reward with reasonable charges. The boy may be known by a scar on his forehead, occasioned by a fall.

ROBERT HICKSON.
Harpers Ferry, Dec. 12, 1810.

Public Sale.

WILL be sold on Saturday the 22d instant, at the house of Mrs. Ann Briscoe, for cash, the remainder of the estate of Dr. John Briscoe, dec'd viz. three old Negroes & a few Books.
JOHN BRISCOE, Ex'or.
Dec. 14, 1810.

To Rent,

The Rock's Mill. Possession will be given the 1st of January.

J. H. LEWIS.
Dec. 14, 1810.

To be Hired

At Lee Town, on Friday the 28th of the present month,

20 or 30 Negroes,

consisting of men, women, boys and girls. Bond and approved security will be required, by me, as agent for the heirs of William Baylor, dec'd.—No person will be admitted to hire negroes there on the same day.

RICHARD BAYLOR.
Dec. 7.

Negroes to Hire.

WILL be hired, on Monday the 31st instant, for the ensuing year, a number of very valuable slaves, consisting of men, women, boys and girls—at the house of Mr. Thomas James, in Shepherd's-Town.

J. B. HENRY, Agent
for Lucy Washington.

December 7.

Thirty Negroes,

consisting of men, women, boys and girls. Those who wish to hire by private contract, will apply to the subscriber, at Mr. S. Slaughter's.

MATTHEW WHITING.
December 7.

NOTICE.

THE subscribers being unable on account of their professional engagements, to pay attention to the collection of their accounts, for medical services, take this opportunity of informing all those who are in their debt, that they have employed Mr. Aquila Willet to settle said accounts; and request that immediate payment may be made to him.

JAMES WOOD,
SAMUEL J. CRAMER.
Charles-Town, Nov. 23, 1810.

Valuable Lands.

THE subscriber wishes to sell—or he will exchange for property in either of the counties of Frederick, Berkeley, or Jefferson, five or six valuable Tracts of land, in the states of Ohio and Kentucky. They are of different sizes, and consist of from 100 to 1000 acres.

DANIEL BEDINGER.
Shepherd's-Town, Nov. 16, 1810.

Writing Paper

FOR SALE AT THIS OFFICE.

Ten Dollars Reward.

RAN AWAY from the subscriber about the middle of September, an apprentice boy named Joseph Johnson, bound to the United States to learn the art of gun-making in the gun manufactory at Harper's Ferry, Jefferson county, Va. He is about five feet 6 or 7 inches high, slender made, fair complexion; when spoken to a down look, and about 18 years old.—The above reward will be given to any person that will deliver him to the subscriber.

JAS. STUBBLEFIELD, Supt.
Nov. 30, 1810.

A Ferry to Rent.

I WOULD dispose of, for a term of years, a good Ferry across the mouth of the river Shenandoah, at Harper's Ferry—the same being lately established by law. It is in the most direct course from Martinsburg and Shepherd's-Town to Leesburg, Washington, Alexandria, &c. through Hillsborough, at the gap of the Short Hill, to which place from the said Ferry there is already a good road.

Together with the Ferry, I will rent for improvement, a capital stand for a STORE, & FLOUR WARE HOUSE; well situated to receive and to send off by the river Potomac, a vast quantity of flour and wheat from the neighboring country, on the Loudoun side, particularly from the valley of Shannondale. The improvements must be made in the plain substantial way—the rent during the lease shall be low; and at the end of the term the improvements will be received at fair valuation.

F. FAIRFAX.
Shannon-Hill, Nov. 9, 1810.

Jefferson County, to wit.

November Court, 1810.

James Glenn and James Verdier,
Complainants,

against

Aaron M'Intire, Ex'or of Nicholas M'Intire, dec'd, and Robert Worthington,
Defendants.

IN CHANCERY.

THE defendant Aaron M'Intire not having entered his appearance agreeably to an act of assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth: It is ordered that he appear here on the second Tuesday in January next, and answer the bill of the complainant. And it is further ordered, that the defendant Worthington do not pay, convey away or secret any monies by him owing to, or goods or effects in his hands belonging to the absent defendant M'Intire, until the further order of this court, and that a copy of this order be forthwith inserted in the Farmer's Repository, printed in Charles town, for two months successively, and published at the court house door of the said county of Jefferson.

A copy. Teste,
GEORGE HITE, clk.
Nov. 23.

NEW GOODS,

By the Market House, in Shepherd's-Town.

THE subscribers respectfully inform their customers at a distance, as well as those immediately in the neighborhood, and the public in general, that they have just finished opening a very large and general assortment of New Goods, of every description, among which are,

Super extra superfine cloths,
Ditto double mill'd cassimeres,
Flannels,
Irish Linens, Long Lawns,
A great variety of nice Fancy Articles, &c. &c. &c.

Many of these goods have been bought a sacrifice, and are worthy the attention of all those wishing to purchase cheap goods—should any doubt the cheapness of the goods, they will do well to come and see them, for we pledge ourselves they will be sold cheap either by the package, piece, or smaller quantity.

JAMES S. LANE, BROTHER, & Co.
The highest price paid in cash for Hides and Skins.
Shepherd's-Town, Nov. 23.

Blank Bonds

TO BE HAD AT THIS OFFICE.

Jefferson County, to wit.

November Court, 1810.

Jacob Hallner, Complainant,

against
Aaron M'Intire, Ex'or of Nicholas M'Intire, dec'd, and Robert Worthington,
Defendants.

IN CHANCERY.

THE defendant Aaron M'Intire not having entered his appearance agreeably to an act of assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth: It is ordered that he appear here on the second Tuesday in January next, and answer the bill of the complainant. And it is further ordered, that the defendant Worthington do not pay, convey away, or secret any monies by him owing to, or goods or effects in his hands belonging to the absent defendant M'Intire, until the further order of this court; and that a copy of this order be forthwith inserted in the Farmer's Repository, printed in Charles-Town, for two months successively, and published at the door of the court house of the said county of Jefferson.

A copy. Teste,
GEO. HITE, Clk.
Nov. 23.

FOR SALE,

A valuable tract of Land,

CONTAINING 359 acres, situate in Jefferson county, Va. two miles above Harper's Ferry, on the Potomac river. This tract is very suitable for two small farms, has two improvements upon it, and can be advantageously divided. It will be sold altogether or in separate tracts as may best suit the purchaser or purchasers. A lot of 20 acres on the lower corner of the tract having a front of near a hundred poles on the river, and a beautiful never failing spring affording water and fall quite sufficient for a distillery, tan yard, &c. &c. will be sold separately if applied for in time. For terms apply to the subscriber living in Shepherd's-Town, who has also for sale, upon moderate terms and easy payments, some unimproved lots and several houses and lots in the aforesaid town. He will also sell an out lot of about 14 acres.

JOHN MORROW.
October 19, 1810.

Mills-Grove Fulling Mill.

THE subscriber respectfully informs the public in general, that he has taken the above mill, which is in complete readiness for receiving cloth, where he intends to carry on the Fulling and Dyeing in all its various branches; and flatters himself from the opportunity he has had of knowing and practising every thing that has been discovered for the improvement of his business, for six or seven years, to give general satisfaction. I have understood that the mill I have taken has not been in good credit for some years, and the public as well as myself are acquainted with the cause. I have taken the mill with a view to benefit myself, and I am sensible that the first step to this will be punctuality and a close attention to business. All kinds of work will be thankfully received, and dressed with neatness and dispatch. Cloth with written directions may be left at Mr. Wilson's store, in Charles-Town, where I will attend every two weeks to receive and return it when finished. The work will be done on the most moderate terms for cash or a short credit to punctual persons, by the public's humble servant.

J. M'COMB.
November 9, 1810.

A choice Farm to Rent.

FOR the advance of a few thousand dollars, I will rent one of the best Farms in the valley—having cleared, and fenced, and ready for immediate use, near 300 acres of choice land, with abundance of wood-land to support it, and the use of a running stream, besides a good well of water—for a term of years; the interest of the money advanced, to go towards the rent, which will be put in money at not half what it will readily bring in shares of crops: and, when the money is paid down, (if within a short time) a lease, clear of all claims, will be given by

F. FAIRFAX.
Shannon Hill, near Charles-Town,
November 9, 1810.

Jefferson County, to wit.

November Court, 1810.

Robert Buckles, Complainant,

against
William Buckles, John Worneldorf, sen. John Worneldorf, jr. & General Bishop, sen. Levi Taylor and Thomas Hayly,
Defendants.

IN CHANCERY.

THE defendant William Buckles not having entered his appearance agreeably to an act of assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth: It is ordered that he appear here on the second Tuesday in January next, and answer the bill of the complainant. And it is further ordered, that the defendants John Worneldorf, sen. John Worneldorf, jr. and George Bishop, sen. Levi Taylor, and Thomas Hayly, or either of them, do not pay, convey away, or secret any monies by them owing to or goods or effects in their hands belonging to the absent defendant William Buckles, until the further order of this court; and that a copy of this order be forthwith inserted in the Farmer's Repository, printed in Charles-Town, for two months successively, and published at the door of the court house of the said county of Jefferson.

A copy. Teste,
GEO. HITE, clk.
Nov. 23.

A prime collection of

FALL & WINTER GOODS

JUST RECEIVED,
And are now opening at the subscriber's store,

All of which have been selected with the utmost care and attention, from the latest fall importations. They deem it unnecessary to particularise articles, as their assortment is quite complete, consisting of almost every article called for; all of which they offer at cheap rates for cash or suitable country produce. All those who are desirous of purchasing cheap goods, are invited to pay us a visit. We have also received an additional supply to the Apothecary department, consisting in part of the following valuable medicines, viz.

Refined Camphor,
Tincture Steel,
Bateman's Drops,
Stoughton's Bitters,
Godfrey's Cordial,
Essence of Lavender,
Paregoric Elixir,
Venice Turpentine,
Iceland Moss,
Ipecacuanah,
Anderson's and Hahn's anti-bilious Pills,
And also that efficacious medicine Apodeldoc, &c. &c.

And are now ready to serve their customers and the public generally, to whom they return thanks for the liberal encouragement they have received since their commencement in business.

PRESLEY MARMADUKE, & Co.
Shepherd's-Town, Nov. 16, 1810.

Ten Dollars Reward.

BROKE jail on the evening of the 20th inst. TWO NEGRO MEN, the property of William H. Hardt, dec'd, taken by virtue of execution, and committed for safe keeping. The one is named Martin, who calls himself a Baptist preacher—he is somewhat of a yellow cast, and from appearance is about 35 years of age, about five feet ten inches high, he is tolerably dressed, has a dark big coat, but the colour of his other clothes not recollected, as he was a very short time in my custody. The other is named Stephen, a mulatto, supposed to be between 28 and 30 years of age, about five feet ten inches high, meanly dressed, but the colour of his clothes not recollected. It is presumed they will make for Leesburg, to their mistress, who resides in or near that place. The above reward will be given to any person who will apprehend the above villains and commit them to any jail, so that I get them again, or Five Dollars will be given for either of them, and if brought to me I will pay all reasonable charges, with the above reward for both or either of them.

G. GIBBONS, jailer.
Charles-Town, Nov. 23, 1810.

Apprentices Indentures

FOR SALE AT THIS OFFICE.

CONDITIONS OF THIS PAPER.

The price of the FARMER'S REPOSITORY is Two Dollars a year, one half to be paid at the time of subscribing, and the other at the expiration of the year. No paper will be discontinued until arrearages are paid.

Advertisements not exceeding a square, will be inserted four weeks, to subscribers, for three fourths of a dollar, and 18 cents for every subsequent insertion; to non-subscribers at the rate of one dollar per square, and 25 cents for each publication after that time.

Gov. Tyler's Address

TO THE VIRGINIA LEGISLATURE.

RICHMOND, Dec. 3, 1810.

I HAVE the honor of addressing you once more in the character of the representatives of the people of Virginia: In which high and responsible station I salute you.

Another year has passed away without any material alteration in our concerns with foreign nations until lately. It is now proclaimed by the proper authority, that the emperor of France has repealed his retaliating decrees, which have proved so injurious to our neutral rights, falling equally severe on the innocent and fair trader as on those who have degraded the character of Americans by purchasing licences from Great Britain for the use of the ocean, that great high way of all nations which no power on earth has a right to interdict. But while we lament the hard fate of some, we cannot sympathise with those who have fallen victims justly to their own temerity. That measure, however which indiscriminately involves the innocent with the guilty, can never stand the scrutinizing eye of justice, that sublime virtue which being in itself immutable, cannot vary in its measures to circumstances, but must be the rule by which every act of men or nations is tested. Whenever this sacred standard is generally departed from, power alone must govern all things. A fatal and deplorable state of human affairs!

On the part of Great Britain no apology is now left for a non-compliance with her promise to repeal her orders in council, (passed as it is also said by way of retaliation for the Berlin and Milan decrees) whensoever France should repeal the latter—These nations speak to the world as if no people could hear, see, feel or understand but themselves: As if America had not been continually groaning under oppressions of every sort, and a never ceasing invasion of her national rights ever since her act of independence: And if adjustments, impressments, and paper blockades had not been too notorious to leave any doubt with respect to the first aggressor. But we have lost sight of our injuries in the unavailing attempt at negotiation, while thousands of our suffering fellow citizens are imprisoned and cut off from their country and dearest connections. Much have we, I fear, to answer for, on this account. It is now to be seen what we are to expect for our commerce, (and this must be very little indeed, if we judge from the answer given to our minister at St. James's by lord Wellesley, since it is only to be restored to what it was previous to the French decrees, leaving it I suppose still under the influence of the new blockading system. All these abominable encroachments on our rights might have been adjusted long since, but for the factious spirit so unfortunately prevailing among many of our countrymen; a spirit which has led to indiscriminate opposition to every wise and energetic measure, and has gone a great way towards involving the United States in civil discord. This unfortunately too clearly proved the baneful effects of a disunion of sentiment, and a too great love of money, the prevailing passion of the times, which would sacrifice the very independence of our country for a price; for a mean and degraded commerce which never increases the wealth of any nation without bringing into it a due proportion of the vices of other

countries. It produces also what is called in polite circles, citizens of the world (the worst citizens in the world) who having no attachment to any country make themselves wings to fly away from impending danger. Commerce is certainly beneficial to society, in a secondary degree, but never should it have the ascendancy over the agricultural and manufacturing interests.—These are our primary objects. Commerce also begets a predilection for every thing foreign, and is too apt to engender contempt for things of our own. It permits an interference of foreigners with our government and its measures, which no country but ours ever will suffer to that degree which we have experienced. Those characters however, should know that a day of retribution may come, and he who cannot honor our principles, because a slave to prejudice, should at least enjoy the blessings of our freedom and hospitality in silence, or choose a clime more congenial to his feelings and sentiments.

"The world is all before him where to seek a place of rest."

Such people fall not to intermeddle with our country's affairs; contending for the superiority of foreign governments and fashions, and endeavoring to subject the very people who foster them, to foreign dominion, while, nevertheless, they are offered with unexampled lenity and forbearance, to go on increasing their wealth and fictitious consequence, under the protection of laws for which they have no respect, but which ought to be regarded by them with pious affection and unbounded gratitude.

It is a consolation to reflect that what we have so much regretted, the interruption of our commerce, will and must turn essentially to our advantage, by directing our attention to domestic manufactures, the only true ground upon which a nation can be independent and happy—for, can he be said to be truly independent, whose meat or clothing hang on others favor?

Can we not be content to wear a coat of our own manufacturing, though not so finely and handsomely wrought? Or must it be touched with the finger of a foreign artist to make it pass current among the Beau Monde? It is time to yield up the contemptible business of retailing foreign ideas and sentiments of shreds of goods and scraps of paper, to the extent which has hitherto existed.

Again, by encouraging the spirit which is now prevailing for internal improvements, viz. canals, public roads and machineries, almost for every act, a great part of our labors will be applied that way, and of course less of our produce will be for exportation, while a great part will find a ready consumption within ourselves, and thus, by a reciprocity of services and supplies, our wealth will continue to increase and our citizens be diverted from seeking their fortunes on a tempestuous sea, made more perilous by the present state of the old world, and the strength of our governments will be consolidated, which after all, are the freest and happiest that ever did exist since the first institutions of civilized man, and may truly be styled "the most stupendous monuments of human invention!"

But all these improvements must have for their foundation a good system of education and a general diffusion of knowledge. The great employments of civil and military officers, must of necessity be confined to some, while the rest of our citizens are engaged in their ordinary occupations. These are important trusts, and should be placed in wise and virtuous hands. But how will a succession of such men be kept up without the aid of Legislative patronage? The very sentiments as well as services of each individual belong to the public: The sacred trust of superintending and rightly directing those sentiments by providing and maintaining a wise system of instruction, cannot be neglected without deservedly incurring the severest reproaches.

The present education of our country is too superficial. The talents of our citizens evaporate in long speeches, whereas it is not in the multitude of words, but the sense expressed by

them, that marks the man of talents. It is not the parade of self-conceit and affectation of genius which displays the truly great man or constitutes the useful citizen; but the extensive information and sound judgment, together with correct discreet and moral conduct; all which can only be obtained from honest, learned and skillful instructors of youth. For want of these, the actual useful arts and sciences are too much neglected among us, and the great trust of the public happiness for ages to come, in this immense republic, deplorably jeopardized.

Great indeed is that trust when we consider, that our American domain is rapidly expanding to so vast an extent and through so many climes and widely separated regions. Soon too, we may expect to see South America assume a station in the scale of nations and become allies of the U. States. It will require all the efforts of genius and virtue to stand at the helm of our political vessel and conduct her safely through storms which may arise to impede her progress. We have not a breed of such great men as have filled the Chair of State. It becomes our duty, then, to cultivate and bring into life, such plants as discover a propensity to blossom fairly and vigorously: nor should we shrink from the undertaking upon the ground of expence, for what comparison would that bear with the advantages arising from a wise application of our funds to the all-important event: It would be as grains of mustard seed with the starry region, or a taper with the sun in its meridian lustre.

Another great and interesting object before us is the opening our rivers, and improving and extending their navigation to the remotest corners of our state: No country is furnished with more natural advantages than ours; and yet how feeble are our efforts to advance them, compared with those of our northern states.—The trade of this state is carried to Maryland and Pennsylvania by means of their superior revenue. A considerable revenue might be drawn from these sources by the commonwealth's becoming a partner in associations and companies for the purpose of promoting schemes of improvements, which should be further assisted where their funds are inadequate to accomplish the object in view. It is believed also, that a considerable intercourse would take place between this state and those of Tennessee and Kentucky if they were met with a liberal policy.

The subject which I am now about to animadvert on is of the highest importance to society; and the interposition of the legislature is indispensable. How my ideas may be appreciated by your honorable body is yet to be determined.

The jurisprudence of the state is certainly not in the most desirable situation; particularly as to the court of appeals. Too much delay in the administration of justice is a great evil, which every day's experience proves, and yet a too speedy course would be injurious—"summun jus summa injuria;" our habits and customs have marked out a middle path, a principle of moderation, which ought not to be suddenly departed from. Many seem to think that no remedy can be found for the want of a regular, uniform and sufficiently speedy course of justice.—I differ widely from those who think so.

In the first place, the court of appeals ought to be augmented in the number of its judges to add weight and dignity to their decisions, and should not be employed in sifting a cause to find the points in controversy.—I hope points should appear naked and clearly stated before them so that the law may be pronounced in a reasonable time.

There should no appeal be allowed to that court as a right—but on a motion for a supercedas or writ of error, let the judge or judges say whether a further consideration is necessary, and act accordingly. Secondly, the laws should be amended & enforced which very wisely prohibits any lawyer who was employed in the first instance from being concerned in any appeal from the county or district courts. The provision has grown obsolete and been over-

looked by the courts. From this cause in a great degree the docket has been crowded with frivolous cases, and those followed up as the ravens follow the carcass. The conduct is not the most honorable to that profession which is highly valuable in society, if we take into its circle the proper knowledge of government.

A third cause of delay and dubiety arises from long speeches, and almost as long opinions in every case which is argued and decided, with the unfortunate practice of quoting numerous and lengthy British cases; the time of the court being taken up in reconciling absurd and contradictory opinions of foreign judges, which certainly can be no part of an American judge's duty.

This evil might be cured by the bench and the bar, if the latter would cultivate a more chaste elocution, and the former a more concise manner of delivering their opinions. For the proof of these remarks, I beg leave to adduce a case also—See Henning and Mumford's Reports, vol. 4, page 82. Bustar vs. Wallace, in which, cases to the number of 33 are quoted in the arguments of counsel. See also a more enormous budget of cases cited in Smith and Wife vs. Chapman, 1 H. and M. 247. This is a true Case Mania. Is not this a waste of time for which no apology can be found?

Some gentlemen refer to decisions of the inferior courts of England, and yet I am told, to mention a case which has been decided in any of our district courts, would be a subject of ridicule; it would want that genuine sterling constituent of being a British decision.—Under these circumstances can America be fairly said to be independent of England.

It is much to be lamented that in the commencement of our self government we had not have selected a code founded on the ancient common law maxims and principles, as far as they applied to our government.—This was certainly the object of the convention which adopted the common law; for it is so expressed. Yet are we going on looking for the law by decided cases which often differ—whereas we should look for the principles and maxims, to see if those decisions were correct; for if this is necessary, we certainly should not attempt to prove the axiom by the proposition, but the very reverse: We should prove the proposition by the axiom—So would old Euclid have done. If a law is said to be unconstitutional, should we apply for any man's opinion, or go to the letter of the constitution for its solution? I think the latter would be the choice—Surely then where a cause is to be determined on common law principles, ought we not to seek for those principles by which it is to be governed? Why cannot these maxims and principles which form the common law, be selected for our purpose and made the rules of decision in cases where they apply? As to the written or statute law, no judge can be fairly said to be independent or free, who goes to a British Judge to see how his Lordship has been pleased to decide in a like case.—Surely the Judge's do not recollect that those who made the law understood it, and never expected that those who were to expound it possessed less wisdom. This course of legal procedure is too servile and humiliating for an American citizen.

But a notion is taken up that judges and lawyers are wise and profound in proportion to the length of speeches and number of cases that are made & referred to—Whereas without reading one volume through, case upon case may be heaped so as to make a long and able argument, as it is called, with very little strength of mind or acuteness of reasoning. I well remember a celebrated cause which was tried in the general court, when many cases were quoted from Dunford and East and when a gentleman high in the profession proclaimed aloud that the court was bound by such cases; that our rights, liberty and lives rested upon them—but presently an opposing case was adduced from East, in contradiction to himself and his firm—but that professor replied he was an unledged reporter. Now, what becomes of our rights and liberties in such a situation?

But a judge then sitting very properly replied, that they stood not upon the whim and caprice of British judges, that we had long since emancipated ourselves from the shackles they imposed and preferred to stand upon our own bill of rights, constitution and laws; principles too sacred to be shipwrecked on the British ocean of uncertainty.—As to the supposed difficulty and labor of revising the common law, it is all a bubble.—Who could have supposed that after a free republican government had been established, and so many laws that hung upon the ancient system were done away, to wit: the law of primogeniture, the law of descent, survivorship, &c. &c. with the complete change of the criminal code, so much would be left as to render it impossible for a few wise and willing men to accomplish the end proposed? After old Coke and Littleton shall have been stripped of their antiquated dress what great matter would be left for us to do?—Shall we forever administer our free republican government on the principles of a rigid high toned monarchy? I almost blush for my country when I think of these things.

Let a stranger go into our courts and he would almost believe himself in the Court of King's Bench. Can the judicial department be free from their chains but by a revival of the common law under legislative authority? It may be asked, where can a committee of revisers be found whose talents would be equal to this task? This is a mortifying question indeed—but I answer, that among the many wise and experienced judges and lawyers, some of whom have retired from the labors of their profession, two or three may be found whose nature has been blessed with sufficient talents to accomplish the work in a reasonable time, & with virtue and patriotism to insure its performance in a manner auspicious to the best interests of their country. Let us not therefore sit down in despair under a mistaken impression that this load of common law authorities cannot be shaken off, but resolutely attack it as we did the statutory despotism, and no doubt but our endeavors will be crowned with success.

As to the county court system, every experienced and reflecting man must see and feel the incompetency of those (whose daily avocations prevent any acquisitions in legal knowledge) to discharge the important trust reposed in them of deciding between man and man on their most important, legal and equitable rights. Suppose it should be necessary as it often is, that insurances should be moved for the jury as to the evidence adduced, or a point of law arising out of the facts of a cause; what respect will an intelligent jury pay to them, when they are sensible that but a little time before the justices were only jurymen and could not be made law judges by a mere translation of them from the jury room to the bench? They would in such a case, act for themselves, well knowing that the blind cannot lead the blind. Besides it is not just to call for so much public duty from the magistrates without any compensation except that precarious one arising out of the office of sheriff, which may be obtained perhaps once in the course of one's life! At present a judge rides into every county in the state; let his jurisdiction therefore be extended to cast generally, and limit the county court jurisdiction to local matters and to cases of small importance, bringing back the out of doors authority of a single magistrate to what it formerly was. At any rate let the superior courts have concurrent jurisdiction, and leave it to every man's option to go into either court he may please. I by no means mean to detract from the merits of the county courts. They are a valuable branch of our government, and deserve much in general of their country, but those citizens who fill the high office of dispensing law & justice certainly should be better qualified for so great a trust, and it is no reflection even on those who are liberally endowed by nature, or by a superior education to say that they may not be judges of law.

These sentiments I submit to my country with all due deference; they are such as I expressed in the legislature twenty-eight years ago, and I never have heard a reason advanced which made me doubt for a moment the propriety of them.

Having this far indulged in a few general remarks, I now submit the accounts and statements of the Armory, Penitentiary and Public Ware-house, for the reception of tobacco and flour, in which it is hoped no cause will be found for censure, making some allow-

ances for the infancy of the institutions in this country, and the difficulty of obtaining the most skillful artists in the various branches of business appertaining to two of them. It is believed a considerable improvement has taken place in the manufacturing of the small arms, both as to sightliness and quality and the number will be seen of Muskets 3,435, besides Pistols, swords, &c. &c. and of Cannon 92 pieces.

The Penitentiary is progressing nearer to perfection: Its clear profits on amount of sales since the first of December, 1809, will be found to be \$3051 88c'ts the stock at present on hand being \$30,278 48 cents.

The Ware-house for the reception of tobacco and flour, yields this year a profit of \$1825 53.

The Treasurer's and Auditor's accounts will form a subject for a subsequent communication. As these subjects will undergo investigation by a committee of your own body, much need not be said concerning them by me; I shall therefore bring your attention to the following communications and subjects in the order they are numbered.

1. Copies of three several communications from the State of Georgia, viz:—disapproving of a resolution of the General Assembly of Virginia, proposing an amendment to the constitution of the U. States, by which "the Senators in the Congress of the U. S. may be removed from office by the vote of a majority of the whole number of the members of the respective State Legislatures, by which the said senators have been, or may be appointed; Disapproving of a resolution of the State of Pennsylvania, proposing an amendment to the constitution of the U. States, by which "an impartial tribunal may be established to determine disputes between the General and State Governments;"—And disapproving of a resolution of the State of Massachusetts, proposing an amendment of the Constitution of the United States, by which "no law shall be enacted for laying an embargo or for prohibiting commerce for a longer period than until the expiration of thirty days from the commencement of the session of Congress next succeeding that session in which such law shall have been enacted."

2. Copies of communications from the States of New Hampshire, Delaware and Pennsylvania, disapproving of a resolution of the State of Massachusetts, proposing an amendment to the constitution of the United States as recited in the latter communication from the State of Georgia.

3. A copy of a communication from the State of Kentucky, disapproving of a resolution of the State of Pennsylvania, proposing an amendment to the Constitution of the United States as recited in the second communication from Georgia.

4. And a copy of a communication from the State of N. Jersey, disapproving of the several propositions for the amendment of the Constitution of the United States, as recited in the communications from Georgia.

5. A copy of a letter from William W. Henning, Esquire, resigning his appointment as a member of the Privy Council or Council of State. And, I have to announce the death of John Heath, Esq. late a member also of that branch of the government.

6. A copy of a letter from Mr. Isaac Webster, requesting the use of the water below the armory for the purpose of erecting machinery to prepare Plaster of Paris as a manure.

7. A copy of a letter from the Honorable William B. Giles, covering a report of a committee of the Senate of the United States, respecting land bounties due to the officers and soldiers of the Virginia line on State Establishment, for their services during the revolution.

8. A copy of the annual return of the militia for the year 1809, inclosed in a letter from the deputy Adjutant General, addressed to the Speaker of the House of Delegates, and accompanied by a copy of a letter received by me from that officer in August last. These papers will be found to contain information respecting the arms distributed to the militia, worthy the attention of the General Assembly; and as a further illustration of that subject, I enclose copies of a letter from Aylett Waller, Esquire, the Commandant of the 16th Regiment, composed of the militia of Spotsylvania, and of a letter from Alexander Doyle, Esquire, a Captain in the 30th, in the county of Shenandoah, which are forcibly impressive of the necessity of some step toward a remedy of so serious an evil.

It is ascertained that since the arrangement of the militia under the present organization, no less than 302 muskets, &c. and 98 rifles have been issued to the 16th Regiment, of which no notice is taken in the last regimental return. In addition to the papers already mentioned as being contained in this number, there will be found a statement of the arms issued to the Regiments of infantry respectively; and also of all the arms of every description now on hand at the armory.

While the subject of the militia generally is under consideration, it may not be impertinent to remark, that the 23d section of the act passed the 28th of January, 1804 is in such general terms as to induce a belief, that all crimes, of whatsoever nature committed by an officer, are cognizable by a Court Martial; and as an instance of the prevalence of this opinion, in March last, an officer was arrested in the county of Campbell and tried by a Court Martial, on a charge of having fraudulently sold a negro. It is suggested, that as a remedy for this evil, the section aforesaid be so amended as to confine the arrest of officers to the causes specified in the 26th section of the said act, and to such other causes as may be specially designated, so as not to infringe the constitution, which declares "that the military shall at all times be subordinate to the civil power."

The report of the death of the adjutant General, as stated in the letter addressed to you by his deputy, has not been officially announced to me.

I now lastly beg leave to draw your attention to the present condition of the Capitol and Governor's house. The former is more particularly in your view, and will from examination, be found to want repairs. Some appropriations will be necessary for that purpose, as it is better to afford supplies in time, than suffer the building to decay so as to force an application of funds at a future day to a much greater extent. I also submit to your consideration the propriety of enclosing the public square with brick or stone, to prevent the gradual approaches which are making by every rain to undermine the building. The expense will not be great, and ought not to be an obstacle in the way of so desirable an object. Certainly our increased population and wealth can accomplish what was done in our infancy, when we were a colony under regal dominion. The Governor's tenement is going fast to destruction, having been originally badly built, and is too small for a family. The patch work which has adorned it for twenty years has cost greatly more than a good durable brick building would have done. The ground adjoining down to the ravine, with the dwelling and garden, together with the lot between Mr. Randolph's and Mr. Southgate's, and one near the shop of Henry J. Boshier, would furnish the means to erect a neat building in a more retired situation, and afford a surplus for the purchase of a few acres of land, so indispensable for a good accommodation. The present situation is intolerable for a private family, there being not a foot of ground that is not exposed to three streets, besides a cluster of dirty tenements immediately in front of the house, with their windows opening into the enclosure.

It will not, I am sure, be conceived that I have either interest or pride in pressing this subject, any further than what I feel as a citizen, and therefore hope to be excused for the liberty I take in these suggestions.

I am, with every sentiment of respect and esteem,
Your very obedient servant,
JOHN TYLER.

From the National Intelligencer.

In compliance with a promise which we made some days ago, we have the pleasure of laying before our readers the following statement, the correctness of which may be relied on, respecting the title of the United States to the territory east of the river Perdido, in the territory heretofore generally called West Florida. The statement is extracted from a document published under the authority of an act of Congress, passed at their last session, which directed a collation and arrangement of the laws, treaties and other documents relating to the Public Lands.

"The U. States by the treaty of 1803 with France acquired Louisiana without any direct definition of its boundaries, but as fully and in the same manner as it had been acquired by France from Spain, in virtue of the

treaty of St. Idefonso of the 1st of October, 1800. By this treaty Spain had retroceded Louisiana to France, with the same extent that it then had in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into between Spain and other states."

By the grant of Louis the Fourteenth to Crozat, dated 14th September 1712, all the country drained by the waters emptying directly or indirectly into the Mississippi, is included within the boundaries of Louisiana. The discovery of that river by the French, the general principles adopted by the European nations in relation to the rights of discovery, the publicity of the grant, and the long acquiescence of Spain, establish the claim of the U. States to that extent. But the western boundary on the sea shore, and south of the waters emptying into the Red River, is still a subject of controversy between the two nations; the territory called by Spain "Province of Texas" being claimed by both. The claim of France, now transferred to the United States, extended at least as far west as the bay of St. Bernard, in virtue of the settlement made there by La Salle, in 1685, in the vicinity of the river Gaudaloupe, at a time when Spain occupied no part of the territory east of the Rio Norte. That settlement was destroyed, and notwithstanding the repeated orders of the French government, was not resumed by the local authorities. In the mean while (in 1717) the Spaniards sent some priests among the Indians, and shortly after established a small military post at Adayes, afterwards transferred to Natchez, on which rests their claim to the country east of LaSalle's settlement. By an arrangement made in 1806 by the commanding officers in that quarter, it was agreed that for the present the Spaniards should not cross the Sabine, and the Americans should not extend their settlements as far as that river. And in order to prevent any collisions, until the difference should be finally adjusted, instructions have been given that the public lands should not be surveyed west of a meridian passing by Natchez.

East of the Mississippi, the United States claim by virtue of the treaty of 1803, all the territory south of the 31st degree of north latitude, and extending westwardly to the small river Perdido, which lies between Mobile and Pensacola, and was, when Louisiana formerly belonged to France the boundary between that colony and the Spanish province of Florida. That territory, together with the residue of Louisiana, east of the Mississippi, was by the treaty of 1763, ceded by France to Great Britain, who by the same treaty acquired also Spanish Florida. The preliminary articles of that treaty were signed on the 3d day of November 1762; and, on the same day France by a separate act, ceded to Spain all the residue of the Mississippi, and including the city and island (so called) of New-Orleans. The treaty of 1763, Great Britain ceded to the U. States, all that part of the former colony of Louisiana, east of the Mississippi, which lay north of the 31st degree of north latitude; and to Spain, under the name of west & east Florida, both that part of Louisiana east of the Mississippi, which lay south of that parallel of latitude, and the old Spanish province of Florida.—The 31st degree of latitude was, by the subsequent treaty of 1795, between the U. States and Spain, confirmed as the boundary between the possessions of the two nations. The title of the U. States to the territory in question, under the treaties of St. Idefonso, and of 1803, is fully established by those facts.

Louisiana was retroceded to France, "with the same extent that it then had in the hands of Spain;" and the territory in question, by whatever name Spain chose to call it, was then substantially in her hands.

Louisiana was retroceded "with the same extent that it had when France possessed it;" and not only was that territory part of Louisiana when France possessed it; but she never owned that province a single day without that territory, as part of it. For, as has been stated, she ceded on the same day the eastern part of Louisiana to England, and the western part to Spain. Louisiana was retroceded, "as such as it should be after the treaties subse-

quently entered into between Spain and other states;" and Spain never, had, since she acquired Louisiana in 1762, made any treaties relative to Louisiana, but that of 1783, with G. Britain, and that of 1795, with the U. States: She had entered into no treaty whatever, which affected Louisiana west of the Mississippi. This member of the description can therefore only apply to the territory in question, east of the Mississippi, and there it has full effect; the territory having been acquired by Spain, by her treaty of 1763, with Great Britain, and its boundaries having been finally established by her treaty of 1795, with the United States. "Louisiana, such as it should be," &c. can only mean including east Louisiana, as restored by the treaty of 1783, but extending no further north than the southern boundary of the U. States as recognized by the treaty of 1795.

The spirit of the treaty equally supports the construction necessarily derived from its letter. Spain retrocedes to France the colony which France had ceded in 1762, and she must therefore yield all in her possession which France had formerly given up. The cession by France of west Louisiana to Spain, was to compensate for the loss of Florida: the cession of east Louisiana to England, was to make, together with Florida, an equivalent for Cuba, which, on that condition, was restored to Spain. France ceded the whole for the benefit of Spain. And Spain having recovered Florida by the treaty of 1783, having herself ultimately lost nothing; it is a natural consequence that France, in obtaining a retrocession, should take back all she had lost, for the sake of Spain. It is hardly necessary to add, that no private explanation between these two nations made subsequent to the treaty of St. Idefonso, can affect the right of the United States, derived from a public treaty; such supposed explanation not having been communicated to them by France, when the treaty of 1803 was concluded, nor even afterwards by Spain, when she acquiesced in the acquisition of Louisiana by America.*

* For that act of acquiescence, see in the Appendix, Cevallo's letter to Mr. Pinkney, of 10th Feb. 1804.

Resolved, That the Secretary of the Treasury be directed to lay before this House any information he may have touching any settlement, contrary to law, on the Public Lands in the Mississippi Territory; by whom, and at what periods and extent, and what measures had been taken to remove such intruders on the Public Lands.

The resolution was passed without opposition.

The House resumed the consideration of the bill appropriating the Representatives according to the third enumeration.

Mr. Sturges moved to postpone the bill indefinitely.—After debate, negative.—Yeas 55, Nays 62.

Mr. Pitkin moved to postpone it till the second Monday in February.

After three hours debate, the latter motion prevailed.—Yeas 66, Nays 34.

Monday, December 17.

On motion of Mr. Poydras, the memorial of the legislature of the territory of Orleans, praying to be admitted as a state in the union, was referred to a committee of seven members.

Mr. Troup said it would be recollected that by the law of 1807, the President was authorized to remove by force from the Public Lands persons claiming under any other titles than such as were derived from the United States. He had no doubt but this law had been duly executed; but he was desirous of obtaining all the information he could acquire on this subject; and therefore moved a resolution to the following effect:—

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After three hours debate, the latter motion prevailed.—Yeas 66, Nays 34.

Tuesday, December 18.

Mr. Pearson said that during the last session of Congress a committee had been appointed by this House, to enquire into the conduct of Brigadier Gen. James Wilkinson; but from a part of the report, which he read, the House would recollect that the committee had not brought their investigation to a conclusion. In order to perfect what had thus commenced, he moved the following resolution:

Resolved, That a committee be appointed to enquire into the conduct of

Brigadier General James Wilkinson, in relation to his having at any time, whilst in the service of the U. States, corruptly received money from the government of Spain or its agents, or in relation to his having during the time aforesaid, been an accomplice, or in any way concerned with the agents of any foreign power, or with Aaron Burr, in a project against the dominions of the King of Spain, or to dismember these United States. And that the said committee enquire generally into the conduct of the said James Wilkinson, as Brigadier General of the army of the United States: That the said committee have power to send for persons and papers, and compel their attendance and production, and that they report the result of their enquiry to this House.

Mr. P. said he would barely remark that having been a member of the committee at the last session, he was well convinced that the committee had not drawn their investigation to a conclusion; for although he had studiously avoided conversing on this subject, or communicating with any one in relation to it, yet evidence unsought for had come to his knowledge, which had not been before the committee, and which, if to be relied on, he deemed material to the investigation.

The House agreed to consider the resolution, 61 to 35.

Mr. Root moved that the resolution should lie on the table.—Motion lost, Yeas 33, Nays 78.

Mr. Love moved to postpone the further consideration of the resolution till to-morrow.—Motion lost, 53 to 46.

Mr. Troup moved to amend the resolution by adding the following clause:—"and further, that the said James Wilkinson be notified by the committee of the time and place of their sitting, and be heard in his defence;" which amendment was, after debate, accepted, by Mr. Pearson as a part of his resolution.

Mr. Stanford moved to strike out of the resolution the words which had been incorporated at the suggestion of Mr. Troup.—Motion lost, Yeas 20, Nays 89.

The question was taken on the resolution as amended, by Yeas and Nays.

For the resolution 79—Against it 35.

The following gentlemen composed the committee appointed in pursuance of this resolution: Messrs. Troup, Bacon, Sage, Wilson and Breckenridge.

[Mr. Troup has been excused by the House from serving on this committee on account of the precarious state of his health.]

On these several questions a debate arose which occupied the House till 3 o'clock.

Wednesday, December 19.

Mr. Newton said, it would be recollected that the report of the committee appointed at the last session, to inquire into the cause or causes of the mortality in the army at New Orleans, owing to the late hour at which it had been introduced (the 27th April,) was not acted upon; he would therefore move that the report be referred to a committee of the whole House—Agreed to—67 to 17.

A short time elapsed, when Mr. Smith hoped that the vote on the reference might be reconsidered, as he considered it a procedure totally without precedent, that an unfinished act of the last session should be made the subject of reference, in this informal way.

On this question of order, considerable debate took place; in which Messrs. Smith, Pitkin, Wright, Taylor, W. Alston and Southard advocated the reconsideration, and Messrs. Newton, Milnor and Miller opposed it. The question was decided in favor of reconsideration, 49 to 39.

The question being taken on the reference of the report to a committee of the whole, it was lost.

Mr. Newton moved to refer it to a select committee.

This motion was declared to stand on the same ground in point of order as a motion to refer it to a committee of the whole.

Mr. Newton then introduced the following resolution:

Resolved, That a committee be appointed to inquire into the cause or causes which produced the great mortality in the detachment of the army of the U. S. stationed at New Orleans; and that they have power to send for persons and papers.

Mr. Taylor moved an amendment to the resolution, which was to refer the consideration of this subject to the committee yesterday appointed to enquire into the conduct of Gen. W. He

made this motion with a view, as Gen. W. was evidently as much the object of this enquiry as of the other, that two committees should not sit at the same time for the same purpose; that two torturing irons should not be applied to the victim at the same time. Messrs. Newton, Findley and Bacon opposed the amendment offered by col. Taylor, on the ground that the subjects of enquiry were separate and distinct. It was not agreed to.

The question on the resolution of Mr. Newton was decided in its favor, and a committee of seven appointed.

CHARLES-TOWN, December 28.

The account published in our last, stating S. H. Smith, esq. to be appointed Post Master General, is premature.

Some unimportant articles of intelligence of Nov. 6, are received at Boston by an arrival from Lisbon—the two armies remained in their former positions—some skirmishes had taken place between the piquets. The French had sent a party across the Tagus for provisions, which were watched by a detachment of Portuguese.

A lead and silver mine has lately been discovered in Dorset mountain, Vermont. It is stated that 100 weight of this ore, on being analysed, produced two pounds and a half of pure silver (about 40 dollars) and 77 1-2 pounds of lead.

The following is an extract of a letter from a respectable gentleman at Fort Stoddert, M. T. dated November 12, 1810.

"The account of Pensacola being in possession of the British is false.—Should England be disposed to take possession of that place and of Mobile, this is doubtless the period at which such a step seems most probable—most to be apprehended. The Baton Rouge Floridian army is said to be on its march to take these places—Col. Kemper, and some other chiefs of this new army, are now in the vicinity of the fort, associating with such of our citizens, as afford much ground to apprehend that there is something wrong amongst them. If we have a war with England, Pensacola and Mobile must be ours, or New Orleans will fall. At no place could the enemy find so convenient a rendezvous for his vessels, from which to annoy New Orleans, as Pensacola; and the cattle and hogs and corn of this country, and the Creek and Choctaw nations, and the savages of these nations, who love the English, would contribute not a little towards the support of such a rendezvous."

From the Orleans Gaz. of Nov. 22.

THE BATTURE—Edward Livingston, Esq. gave public notice a few days since, of his having peaceably resumed the actual possession of the property which he claims, fronting the suburb St. Mary, commonly called the batture.

Yesterday's Courier informs us that the marshal, by virtue of an order from the district attorney, took possession of the said property on the 20th inst. in the name of the U. States, and expelled Mr. Livingston from the same.

Boston Dec. 11.

IMPORTANT.—We learn from an authentic source, that the Spanish minister has dispatched a cutter to Cadiz, to communicate to the regency and cortes governing Spain, information of the measure the executive of the U. S. has taken with regard to a part of West Florida. The fact merits the very serious consideration of merchants engaged in commerce to Spanish ports.

MORAL THERMOMETER.

Shewing the effects of Temperance and Intemperance.

Water, Milk and Water, and Small Beer, produce health, wealth, serenity of mind, reputation, long life and happiness.

Cyder, Wine, Porter, and Strong Beer, taken only at meals, and in moderate quantities, produce cheerfulness, strength, and nourishment.

Punch, Grogg, and Brandy and Water, produce idleness, sickness, & debt. Drums taken in the morning, produce drowsy, palsy, and consumption, and lead to rags, hunger, the hospital, the poorhouse, or a jail.

Drums during the day & night, produce apoplexy, madness, and suicide, and lead to the gallows.

Trustee's Sale.

WILL be sold, for cash, on Saturday the 5th of January next, before the door of R. Fulton's tavern, in Charles-Town, three valuable mules, two horses, one waggon with a complete set of gears. Also, one negro fellow.—The same having been conveyed to the undersigned in trust to secure a debt due Robert Whittett.

TH. GRIGGS, Junr.

December 28, 1810.

Wood for Sale.

IN obedience to an order of the court of Jefferson, I shall, on Saturday the 5th day of January next, proceed to sell, for ready money, all the wood standing on the intended road from Downey's Mill to Charles Town. To suit purchasers it will be sold in lots. The sale will begin at 10 o'clock, at the lower end of said road, where the conditions will be made known more fully.

EDMUND DOWNEY.

December 28, 1810.

100 Dollars Reward.

RAN AWAY from the subscriber, living in Jefferson county, Virginia, near Smithfield, on the 25th inst. A Mulatto man named PHIL, but is known in his neighbourhood by the name of Dr. Johnston. He is about 36 years of age, 5 feet 6 or 7 inches high, well made, has a very remarkable black speck in one of his eyes, very fond of liquor, and when intoxicated is apt to be impertinent, but when he thinks himself dependent or apprehensive of being taken up is very humble and submissive: As it is his whole object to be free, it is more than probable he has obtained a free pass—he is frequently employed among the blacks as a physician. He had on when he went away, a patched pair of Kersey overalls, an old coat of a redish cast, and a wool hat. He took with him two drab coloured great coats, and a variety of summer holiday clothing, which will enable him to change his dress—he also took a few articles of bed clothing. Thirty Dollars reward will be given for apprehending and securing the above described fellow in jail, so that I get him again, and reasonable charges if brought home, if taken within 20 miles from home, if 50 miles 50 dollars, and if any greater distance the above reward.

SETH SMITH.

December 28, 1810.

Stray Mare.

CAME to the subscriber's farm, about a mile & a half from Smithfield, Jefferson county, Virginia, about the 1st of November last, a small bright bay Mare, thirteen and a half hands high, supposed to be 5 years old, and has a small white spot on her rump. Appraised to 30 dollars.

GEORGE SHAULL.

December 21, 1810.

I will hire, publicly, at Lee Town, on Saturday the 29th inst.

Thirty Negroes,

consisting of men, women, boys and girls. Those who wish to hire by private contract, will apply to the subscriber, at Mr. S. Slaughter's.

MATTHEW WHITING.

December 7.

Negroes to Hire.

WILL be hired, on Monday the 31st instant, for the ensuing year, a number of very valuable slaves, consisting of men, women, boys and girls—at the house of Mr. Thomas James, in Shepherd's-Town.

J. B. HENRY, Agent for Lucy Washington.

December 7.

Four Cents per Pound

Will be given, at this Office, for clean Linen and Cotton RAGS.

Apprentices Indentures FOR SALE AT THIS OFFICE.

FARMER'S REPOSITORY.

CHARLES TOWN, (Jefferson County, Virginia,) PRINTED BY RICHARD WILLIAMS.

Vol. III.]

FRIDAY, January 4, 1811.

[No. 145.]

CONDITIONS OF THIS PAPER.

The price of the FARMER'S REPOSITORY is Two Dollars a year, one half to be paid at the time of subscribing, and the other at the expiration of the year. No paper will be discontinued until arrearages are paid.

Advertisements not exceeding a square, will be inserted four weeks, to subscribers, for three fourths of a dollar, and 18¢ cents for every subsequent insertion; to non subscribers at the rate of one dollar per square, and 25 cents for each publication after that time.

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GEORGE SHAULL.
December 21, 1810.

IN THE Vaccine Institution LOTTERY,

To be drawn in the City of Baltimore, as soon as the sale of Tickets will admit, are the following

CAPITAL PRIZES:

1 Prize of	30,000 dollars.
1	25,000
1	20,000
2	10,000
3	5,000
14	1,000
30	500
50	100

Together with a number of minor prizes, amounting to upwards of One hundred & thirty thousand Dollars.

ALSO,

EIGHT PRIZES OF 250 TICKETS EACH.

By drawing either of which one fortunate ticket may gain an immense sum, as the holder of it will be entitled to all the prizes the 250 tickets (which are designated and reserved for that purpose) may chance to draw. Present price of Tickets only Ten Dollars.

The Scheme of the above Lottery is allowed by the best judges to be as advantageous as any ever offered to the public. The proportion of prizes is much greater than ordinary, viz. 40 prizes not being more than one prize. It affords also many strong inducements to purchase early, as much as the first three thousand tickets that are drawn will be entitled to twelve dollars each; and the highest prize is liable to come out of the wheel on the next or any day following. The great encouragement which has been already given to this Lottery affords a reasonable expectation that the drawing will commence at an early period.

But independent of all the advantages peculiar to the scheme itself: The great and good purpose for which this Lottery has been authorized, viz. to preserve the genuine vaccine matter and to distribute it free of every expense, ought alone to induce the public to give it every possible encouragement without delay. It is well known that many persons have of late fallen victims to the Small Pox by a misplaced confidence in any day following instead of using the genuine vaccine; so that already the Small Pox has been brought into disrepute in many places, and the old inoculation has been again happily substituted in its stead. If therefore the people of the United States are unwilling to relinquish the advantages of the Small Pox or what they joy the benefit of this discovery, avoid the dangers and difficulties which have hitherto accompanied it, they must support vaccine institutions such as the one now contemplated to be established—these institutions by giving a free circulation to the genuine vaccine matter, will greatly facilitate its use, and by preventing the mistakes so liable to occur from using imperfect or spurious matter, they will engage the confidence of the public in this invaluable remedy, and finally, it is confidently believed, they will prove to be the means of extirpating the Small Pox entirely from among us.

Tickets in the above Lottery for sale in Charles town, by DR. SAMUEL J. CRAMER, MESSRS. W. W. LANE, and JOHN HUMPHREYS, Shepherds-Town by Messrs. JAMES S. LANE, BROTHER, & Co. and GEORGE WORTHINGTON, and Co.—Harper's Ferry by D. CHARLES BROWN, MESSRS. R. HUMPHREYS, and I THOMAS B. BENNET, & Co.
June 15, 1810.

NEW GOODS,

By the Market House, in Shepherd's-Town.

THE subscribers respectfully inform their customers at a distance, as well as those immediately in the neighbourhood, and the public in general, that they have just finished opening a very large and general assortment of New Goods, of every description, among which are,

- Super extra superfine cloths,
- Two double mill'd cassimeres,
- Flannels,
- Irish Linens, Long Lawns,
- A great variety of nice Fancy Articles, &c. &c. &c.

Many of these goods have been bought a sacrifice, and are worthy the attention of all those wishing to purchase cheap goods—should any doubt the cheapness of the goods, they will do well to come and see them, for we pledge ourselves they will be sold cheap either by the package, piece, or smaller quantity.

JAMES S. LANE, BROTHER, & Co.
The highest price paid in cash for Hides and Skins.
Shepherd's-Town, Nov. 23.

Writing Paper

FOR SALE AT THIS OFFICE.

Mills-Grove Fulling Mill.

THE subscriber respectfully informs the public in general, that he has taken the above mill, which is in complete readiness for receiving cloth, where he intends to carry on the Fulling and Dying in all its various branches; and flatters himself from the opportunity he has had of knowing and practising every thing that has been discovered for the improvement of his business, for six or seven years, to give general satisfaction. I have understood that the mill I have taken has not been in good credit for some years, and the public as well as myself are acquainted with the cause. I have taken the mill with a view to benefit myself, and I am sensible that the first step to this will be punctuality and a close attention to business. All kinds of work will be thankfully received, and dressed with neatness and dispatch. Cloth with written directions may be left at Mr. Wilson's store, in Charles-Town, where I will attend every two weeks to receive and return it when finished. The work will be done on the most moderate terms for cash or a short credit to punctual persons, by the public's humble servant.

J. M'COMB.
November 9, 1810.

A Ferry to Rent.

I WOULD dispose of, for a term of years, a good Ferry across the mouth of the river Shenandoah, at Harper's Ferry—the same being lately established by law. It is in the most direct course from Martinsburg and Shepherd's-Town to Leesburg, Washington, Alexandria, &c. through Hillsborough, at the gap of the Short Hill; to which place from the said Ferry there is already a good road.

Together with the Ferry, I will rent for improvement, a capital stand for a STORE & FLOUR WARE HOUSE; well situated to receive and to send off by the river Potomac, a vast quantity of flour and wheat from the neighboring country, on the Loudoun side, particularly from the valley of the Shenandoah. The improvements must be made in the plain substantial way—the rent during the lease shall be low; and at the end of the term the improvements will be received at fair valuation.

F. FAIRFAX.
Shannon-Hill, Nov. 9, 1810.

A choice Farm to Rent.

FOR the advance of a few thousand dollars, I will rent one of the best Farms in the valley—having cleared, and fenced, and ready for immediate use, near 300 acres of choice land, with abundance of wood-land to support it, and the use of a running stream, besides a good well of water—for a term of years; the interest of the money advanced, to go towards the rent, which will be paid in money, at not half what it will readily bring in shares of crops; and when the money is paid down, (if within a short time) a lease, clear of all claims, will be given by

F. FAIRFAX.
Shannon Hill, near Charles-Town,
November 9, 1810.

Jefferson County, to wit.

November Court, 1810.

James Glenn and James Verdier,
Complainants,

against
Aaron M'Intire, Ex'or of Nicholas M'Intire, dec'd, and Robert Worthington,
Defendants.

IN CHANCERY.

THE defendant Aaron M'Intire not having entered his appearance agreeably to an act of assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth: It is ordered that he appear here on the second Tuesday in January next, and answer the bill of the complainant. And it is further ordered, that the defendant Worthington do not pay, convey away, or secret any monies by him owing to, or goods or effects in his hands belonging to the absent defendant M'Intire, until the further order of this court: and that a copy of this order be forthwith inserted in the Farmer's Repository, printed in Charles-Town, for two months successively, and published at the door of the court house of the said county of Jefferson.

A copy. Teste,
GEO. HITE, Clk.
Nov. 23.

To Rent,

The Rock's Mill. Possession will be given the 1st of January.

J. H. LEWIS.
Dec. 14, 1810.

Ten Dollars Reward.

RAN AWAY, an apprentice boy named Samuel Moreland, a shoemaker by trade—he is between 15 and 16 years of age, about 4 feet 9 or 10 inches high.—Had on when he went away a blue doublet, swansdown vest, drab pantaloons, wool hat, shoes, &c. Any person apprehending the said apprentice, and lodging him in jail, or returning him to the subscriber, shall have the above reward with reasonable charges. The boy may be known by a scar on his forehead, occasioned by a fall.

ROBERT HICKSON.
Harper's Ferry, Dec. 12, 1810.

A prime collection of FALL & WINTER GOODS

JUST RECEIVED,
And are now opening at the subscriber's store.

All of which have been selected with the utmost care and attention, from the latest fall importations. They deem it unnecessary to particularise articles, as their assortment is quite complete, consisting of almost every article called for; all of which they offer at cheap rates for cash or suitable country produce. All those who are desirous of purchasing cheap goods, are invited to pay us a visit. We have also received an additional supply to the Apothecary department, consisting in part of the following valuable medicines, viz.

- Refined Camphor,
- Tincture Steel,
- Bateman's Drops,
- Stoughton's Bitters,
- Godfrey's Cordial,
- Essence of Lavender,
- Essence of Burgamot,
- Paregoric Elixir,
- Venice Turpentine,
- Iceland Moss,
- Ipecacuanah,
- Anderson's and Hahn's anti-bilious Pills,
- And also that efficacious medicine Apoddeloc, &c. &c.

And are now ready to serve their customers and the public generally, to whom they return thanks for the liberal encouragement they have received since their commencement in business.

PRESLEY MARMADUKE, & Co.
Shepherd's-Town, Nov. 16, 1810.

Jefferson County, to wit.

November Court, 1810.

Jacob Haffner, Complainant,

against
Aaron M'Intire, Ex'or of Nicholas M'Intire, dec'd, and Robert Worthington,
Defendants.

IN CHANCERY.

THE defendant Aaron M'Intire not having entered his appearance agreeably to an act of assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth: It is ordered that he appear here on the second Tuesday in January next, and answer the bill of the complainant. And it is further ordered, that the defendant Worthington do not pay, convey away, or secret any monies by him owing to, or goods or effects in his hands belonging to the absent defendant M'Intire, until the further order of this court: and that a copy of this order be forthwith inserted in the Farmer's Repository, printed in Charles-Town, for two months successively, and published at the door of the court house of the said county of Jefferson.

A copy. Teste,
GEO. HITE, Clk.
Nov. 23.

Ten Dollars Reward.

RAN AWAY from the subscriber about the middle of September, an apprentice boy named Joseph Johnson, bound to the United States to learn the art of gun-making in the gun manufactory at Harper's Ferry, Jefferson county, Va. He is about five feet 6 or 7 inches high, slender made, fair complexion; when spoken to a down look, and about 18 years old—The above reward will be given to any person that will deliver him to the subscriber.

JAS. STUBBLEFIELD, Supt.
Nov. 30, 1810.

REFLECTIONS

ON THE APPROACH OF WINTER.

Desponding Nature droops her head,
And shrinks before the northern blast,
The trees their "leafy honors" shed,
And Autumn's glory flies in haste.

From Zembla's cold and dreary shores,
Bleak Winter comes with rapid strides,
Of storms he brings his various stores,
And pours them down the mountain sides.

O, man! behold the year decay,
And cast a thought on seasons gone;
Thy spirit, too, must wing her way
To realms far distant and unknown.

The fading glory of the year
Should bid thee think upon thy doom;
Thou canst not tell the day how near,
Which lays thee in the silent tomb!

Winter may clothe in white the plain,
And bind in ice the limpid stream,
But genial spring dispels his reign,
And wakens Nature from her dream.

Ah! when thy morn of youth is fled,
No second spring to thee returns;
When age with snow shall crown thy head,
The lamp of life but faintly burns.

Then be prepar'd to meet thy God;
Let not thine eyes be fix'd on earth;
But upward look to that abode,
Where love eternal claims its birth.

Years may in swift succession roll,
And each its full fruition bring;
But that immortal spark—the soul,
Shall flourish in perennial Spring.

Jefferson County, to wit.

November Court, 1810,
Robert Buckles, Complainant,

against
William Buckles, John Worneldorf, sen. John Worneldorf, jr. & George Bishop, sen. Levi Taylor and Thomas Hayly,
Defendants.

IN CHANCERY.

THE defendant William Buckles not having entered his appearance agreeably to an act of assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth: It is ordered that he appear here on the second Tuesday in January next, and answer the bill of the complainant. And it is further ordered, that the defendants John Worneldorf, sen. John Worneldorf, jr. and George Bishop, sen. Levi Taylor and Thomas Hayly, do not pay, convey away, or secret any monies by them owing to, or goods or effects in their hands belonging to the absent defendant William Buckles, until the further order of this court: and that a copy of this order be forthwith inserted in the Farmer's Repository, printed in Charles-Town, for 2 months successively, and published at the door of the court house of the said county of Jefferson.

A copy. Teste,
GEO. HITE, Clk.
Nov. 23.

THE subscribers being unable on account of their professional engagements, to pay attention to the collection of their accounts, for medical services, take this opportunity of informing all those who are in their debt, that they have employed Mr. Aquila Willet to settle said accounts; and request that immediate payment may be made to him.

JAMES WOOD,
SAMUEL J. CRAMER.
Charles-Town, Nov. 23, 1810.

NOTICE.

THE subscribers being unable on account of their professional engagements, to pay attention to the collection of their accounts, for medical services, take this opportunity of informing all those who are in their debt, that they have employed Mr. Aquila Willet to settle said accounts; and request that immediate payment may be made to him.

JAMES WOOD,
SAMUEL J. CRAMER.
Charles-Town, Nov. 23, 1810.

CONGRESS.

HOUSE OF REPRESENTATIVES.

Thursday, December 20.

The following gentleman compose the committee on Mr. Newton's motion respecting the state of the army. Messrs. Newton, Mumford, Crawford, Milnor, Cochran, Winn & Champion.

Mr. Bibb is appointed on the committee for enquiring into the conduct of General Wilkinson in the place of Mr. Troup excused from serving.

Mr. Jennings introduced the following resolution, which was ordered to lie on the table:

Resolved, That it is expedient that the Executive authorities of the several states and territories of the United States respectively should be authorized and directed by law, to apprehend, secure and deliver to the governor of the Indiana Territory for the time being, or his agent, any fugitive or fugitives from justice, upon demand being made of the Executive authority of any such state or territory to which such fugitive or fugitives shall have fled, and upon producing an indictment found, or an affidavit made before a magistrate of said territory, charging the person so demanded, with having committed treason, felony or other crime, within the jurisdiction of the same.

Resolved, likewise, That it is expedient that any person or persons holding an office or offices of trust from the governor of the Indiana Ter. (Justices of the peace and militia officers excepted) should be by law, declared ineligible to, and disqualified to act in either the House of Representatives or Legislative council of said territory, as a member thereof, until such office or offices shall have been resigned, and such commission, with the resignation, shall have been transmitted to the office of the Secretary of the territory, aforesaid.

On the motion of Mr. Macon, the House resolved itself into a committee of the whole, Mr. Cutts in the chair, on the state of the Union, on the motion introduced by Mr. Macon, for adding to the constitution the following article:

"No Senator or representative, after having taken his seat, shall during the time for which he was elected be eligible to any civil appointment under the authority of the United States, nor shall any person be eligible to any such appointment until the expiration of the Presidential term, during which such person shall have been a Senator or Representative."

Mr. Rhea said that this amendment would go to curtail the privileges of our citizens, and to introduce an innovation of the constitution. For these two ample reasons he moved to amend it by striking out the following words: "nor shall any person be eligible to any such appointment until the expiration of the Presidential term, during which such person shall have been a Senator or Representative."

Mr. Macon defended his proposition and opposed Mr. Rhea's motion. He said that the objection to his proposition because it was new, was not sound, if the motion was reasonable in itself.—The amendment went to complete the intention of the framers of the constitution, which was that no member of Congress should be appointed to any office. It would prevent party spirit from going too far for office, from making places when going out of office, to secure to itself some sort of power in other departments, when it could not retain it in the Legislature. As to depriving men of their right by coming to Congress, it was an empty argument; according to which the Constitution deprived men of their right by prohibiting a member from holding an office whilst in that capacity, or from serving in any office created whilst he was a member. But in what respect would this restriction affect the community? Could not offices as well be filled out of Congress as in it? Congress had already legislated as far as in their power on this subject by passing a law to prevent contractors from holding a seat on this floor.

The independence of the Legislature

was the object.

If there was no co-dependence of office, if human nature was perfect, we should want no laws. But laws become necessary to check the frailties of our nature, and this provision would serve to repress the inordinate desire of man for office. Indeed, said he, it is as necessary almost to guard against a virtue as against a vice. Take the case of a man who has long been in Congress, whose worth all acknowledge, about to retire, and we know that he has not wherewithal to support himself—we should almost, forgetting our duty to the constitution, be willing to make a place expressly for him.

Mr. Macon said, it appeared to him that nothing could be more incorrect, as related to the independence of the Legislature, than for men to be sitting here, knowing that when they retired they were to have an office. Knowing that they were to have it was not worse than wishing to have it; because in either case the independence of the expectant was destroyed. The practice of bestowing offices on members of the Legislature had already obtained to an extent not before known. It was a practice pleasing to members, and it would grow. Suppose any member wanted an appointment, and should go to his friends and get recommendations from twenty, thirty, or forty of them. Would it not operate almost as a command on the executive, when he saw a majority of the Legislature declaring that this man ought to have an office? If he were to refuse he would soon feel the consequences.

Believing the purity of the Legislature to depend on the existence of such a provision as he had proposed, Mr. M. said, he could not consent to strike it out. Every thing, said he, depends on the Legislature. Make the members of the Legislature office-hunters, and you make the nation so. If the Executive archives could be consulted, it would be seen that the applications for office in the nation at large had progressed as much in the same proportion as those from the members of Congress. And is it not natural, sir, that the people who send a man to Congress, seeing him provided with a snug place, would want the same thing? I am willing to extend the principle; I am almost willing to go as far as upon the jury principle in trials for life. I am willing not only to exclude ourselves, but to exclude our kindred. Could any thing be more mortifying, Mr. M. asked, than to see every little appointment in the nation given to the Legislature? To him it was a mortifying circumstance. He could mention names; but that it was always painful to him to do so. He had seen this practice growing with our growth, and if not checked, it would come to be one of the greatest of evils. If the gentleman from Tennessee could demonstrate that there was such a poverty of talent in the nation, that, by the exclusion of members of Congress from office, the business of the nation would be arrested, he would vote for his motion, and not otherwise.

It had been said that the proposed amendment to the constitution went to deprive the citizen of his right. It appeared to Mr. Macon, that this right of office was not a good thing. He knew that no man in the House was farther from office hunting, than the gentleman who made the motion—his remark applied to the subject, and had no particular application to men. If experience had not convinced gentlemen that something wanted doing, he despaired of convincing them. He hoped the motion would not be agreed to.

Mr. Boyd said that of the Republican principles of the gentleman last up, he had no doubt; but these principles might be carried too far to support themselves. The gentleman's argument supposed that the ability of those persons sent here being known to the President, they therefore ought not to be appointed to office. The argument was, because a person was recommended to office by the best men in the nation, he ought therefore not to be appointed. It went upon the supposition that the President, an officer chosen from the people for his superior virtue,

would appoint venally.

But let us beware, said Mr. B. of tinkering the constitution. From the very innovation which the amendment proposes, I should oppose it; because it is necessary to the life and vigor of the constitution that we meddle with it as little as possible. By so frequently altering the constitution, we shall keep the people in a perpetual ferment, not knowing whether they have a polar star or not.

Mr. Burwell considered the part proposed to be struck out as the most valuable part of the amendment. If that were struck out, there would be hardly any part of it worth retaining. This question, he said, was particularly fortunate for those composing the majority of Congress. It furnished them an opportunity to convince the world at large, that they were not governed by mercenary motives; that the course they pursued was dictated by their judgment alone. What could tend more to reconcile all parties in the nation, than a perfect confidence that no sinister motives governed the vote of any member of this House? And who could charge any member with corrupt motives when the constitution had precluded him from office? This was indeed an occasion at which gentlemen ought to rejoice, as it would shew the disinterestedness with which they supported the present or future President of the United States; and that, in giving their suffrage for a President, they were not influenced by interested motives. Mr. B. was willing himself to give this pledge.

The motion of Mr. Rhea was negatived, ayes 12.

Mr. Bacon suggested some amendment in the phrasology of the resolution; and, doubts existing on the subject—

On motion, the committee rose, and the resolution was, on suggestion of Mr. Sheffey, referred to a select committee, with directions to report their opinion thereon.

The resolution was then referred to a select committee composed of Messrs. Macon, Burwell, Bacon, Sheffey and Mitchell.

Friday, December 21.

Mr. Southard offered the following resolution: Resolved, That a committee be appointed to enquire into the expediency of passing a law to prescribe the mode of taking evidence in cases of contested elections for members of the House of Representatives of the United States, with leave to report by bill or otherwise. Agreed to.

Mr. Seybert presented a petition from sundry merchants of Philadelphia, stating their fears that embarrassments might arise in their trade with Great Britain, under the present state of things, and praying the interposition of congress. Referred to the committee of foreign relations.

Mr. Sheffey submitted the following resolution: Resolved, That the committee of commerce and manufactures, be instructed to enquire into the expediency of encouraging the cultivation of hemp, by protecting impost duties, and prohibiting the importation of that article into the U. States, with leave to report by bill or otherwise; Agreed to.

The bill making an additional appropriation (\$75 559 82) to supply the deficiency in the appropriation of 1810, for the relief of American seamen in distress in foreign countries, passed through a committee of the whole, and was ordered to be read a third time tomorrow.

The bill to continue in force, for a further term (1 year) the first section of the act for the protection of American commerce against the Barbary powers, (Mediterranean fund) also passed through a committee of the whole, and was ordered to be read a third time on Monday.

Mr. Rhea offered the following, which was agreed to—Resolved, That the secretary of the treasury be requested to lay before this house a statement of all such funds as may have been paid to consuls or other agents of the U. S. in foreign countries, for the relief of American seamen, under the authority of the law of the U. S. of 1803.